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SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING
BEFORE THE
SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE
EIGHTY-THIRD CONGRESS
SECOND SESSION
PURSUANT TO
S. Res. 189

PART 24

MAY 10, 1954

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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

MONDAY, MAY 10, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met at 10:40 a. m., pursuant to recess, in the Caucus Room of the Senate Office Building, Senator Karl E. Mundt, chairman, presiding.

Present: Senators Karl E. Mundt, Republican, South Dakota; Everett McKinley Dirksen, Republican, Illinois; Charles E. Potter, Republican, Michigan; Henry C. Dworshak, Republican, Idaho; John L. McClellan, Democrat, Arkansas; Henry M. Jackson, Democrat, Washington; and Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator MUNDT. The committee will please come to order, and the Chair would like to begin this morning by once more welcoming the guests who have entered the committee room and he takes this opportunity of advising them of the standing committee rule that in entering the room you come in to comply with the standing rule of the committee which is to insist that no members of the audience manifest disapproval or approval at any time in any way in an audible manner; and the officers, members of the police, have instructions from the Chair to politely escort from the room without further notice anybody violating the conditions under which he entered the room.

In that connection the Chair would like to read a short paragraph which appeared in the New York Times a day or two ago, and I call this to the especial attention of the officers of the Capitol Police who have been doing such a splendid job in maintaining order and such

a splendid job in ushering our guests in and seeing that they are treated as comfortably as possible.

In this rundown which appeared, I think it was in Saturday morning's issue of the New York Times, speaking of the committee proceedings, it says:

While the room is packed daily with about 600 persons present at all times and others waiting outside, observers report that better order and decorum has been maintained than in any similar hearing in memory.

The Chair would like publicly to express his appreciation to the Capitol Police for their fine work in heading up that job and I think it is especially appropriate that he do so because after the unfortunate shooting affair in the House of Representatives, it seems to me the Capitol Police came in for an abundant amount of unjustified criticism. I think, consequently, it is only fair that they now be given their full share of justified praise.

Also I want to express my appreciation to the audience for their splendid cooperation. In the past 50 years I have attended a great many hearings, some of them emotionally charged, perhaps almost to the point that this one has been. I want to express my appreciation of the fact that there have been only one or two deviations throughout the hearings from the audience of this committee rule. We thank you for that.

I see that we have Mr. Stevens back in the chair this morning and we will proceed with the committee business.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Senator DIRKSEN. Mr. Chairman.

Senator MUNDT. Senator Dirksen.

Senator DIRKSEN. I have 2 or 3 matters to address to the Chair this morning.

The first is that there is a meeting of the Judiciary Committee today, and on the agenda for consideration is a bill reported from a subcommittee of which I am the chairman. I feel impelled, therefore, as soon as it is possible to secure a quorum of the Judiciary Committee, to attend that session and to present that bill.

May I also suggest, Mr. Chairman, that tomorrow afternoon at 2 o'clock the subcommittee on Independent Offices of the Appropriations Committee of the Senate will mark up the independent offices bill. This involves money for the Veterans' Administration, the Tennessee Valley Authority, the Housing Administration, the Atomic Energy Commission, and many others, and I feel impelled, Mr. Chairman, under the circumstances and because of the importance of the bill, to be on hand for the markup. So I shall probably absent myself from these hearings tomorrow afternoon for that purpose.

The third thing I would present this morning, Mr. Chairman, is a motion, which is as follows:

I move, Mr. Chairman, that the testimony of Secretary Stevens be now concluded, or I might modify that to say concluded after the interrogation this morning comes to an end, and it is my understanding that probably not over an hour of cross-examination remains. And that thereafter Senator McCarthy be called to testify and to submit to direct and cross-examination. That, at the conclusion of Senator

McCarthy's testimony and examination, public hearings be recessed and that whatever additional testimony may be required from any of the parties to this investigation be taken in executive session.

I might qualify that last expression, Mr. Chairman, by saying that it is entirely possible that even though we might go into executive session for additional testimony, we might adopt the technique that was employed in the MacArthur hearing when testimony was made available at the end of every day's session.

I submit that motion, Mr. Chairman, because I believe, first of all, that it comes within the special rules that have been adopted by this committee for the conduct of these hearings.

Secondly, I think that out of the testimony of Senator McCarthy we will get the remaining answers inasmuch as the answer and the countercharges that were filed by Senator McCarthy with this committee is a joint document that speaks not only for himself, but for Mr. Cohn and Mr. Carr as well.

I feel also, Mr. Chairman, that additional testimony beyond these two principles would at the moment be highly repetitious and only engage a lot of time. I think the Army charges thus far have been reasonably well ventilated. So this is a matter for the committee to determine in the interest of expedition and in the ascertainment of the truth or falsity of the charges that are before us.

I feel impelled, therefore, Mr. Chairman, to make this motion in the hope that we can bring these to an expeditious conclusion, and at the same time determine the matters that are pending before the committee.

Senator MUNDT. The Chair has heard the motion. Is there a second to the motion?

Senator McCLELLAN. Mr. Chairman.

Senator MUNDT. Senator McClellan.

Senator McCLELLAN. I would like to inquire of the principals or have the Chair inquire of the principals to this controversy and their counsel if they have entered into an agreement or consented to the motion just made. That is a parliamentary inquiry. I address it to the Chair. If the Chair does not know he can find out.

Senator MUNDT. The Chair does not know, and he will be happy—I think it only fair that the principals to this dispute or their counsel should have an opportunity to express themselves on any proposed changes in procedure or any formula in the hearing. Since this is somewhat different from the one we had before us last week I think the Chair should inquire, and he will proceed to do so now.

Senator McCarthy, you are involved in this, and this suggestion, if the Chair understands it properly, is that we dismiss Mr. Stevens either summarily now, or at the end of the morning session at the latest; that you then come before the committee under oath and subject yourself to as long a series of questions as the committee and counsel for all sides and all hands should decide, after which the case would be considered complete before the committee as far as public hearings are concerned, and other witnesses, if any, who would be called would be in executive session and the public would be given the testimony and the facts on that in the same manner as the MacArthur hearings, which as I recall, Senator Dirksen, was that about every hour they sent out a transcription of the notes. Is that right?

Senator DIRKSEN. That is correct.

Senator MUNDT. Senator McCarthy, the Chair would be glad to hear your reaction to that suggestion.

Senator McCARTHY. I am not sure I understand Senator Dirksen's proposal. May I say anything that will shorten the hearings so we can get back to our all-important task of getting the Communists known to the committee to be in defense plants and the Government, out, that is my objective. If this would shorten it, good. Is it Senator Dirksen's proposal that we hold up all other hearings until you have finished the executive sessions, or that we could proceed with our investigation of communism on the days that we were not holding hearings on Schine's shoes?

Senator DIRKSEN. May I inquire of Senator McCarthy whether he is referring to the action that was taken by the subcommittee at one of the first hearings that the regular investigation of the permanent subcommittee be suspended until this controversy had been closed? Is that the matter you are referring to?

Senator McCARTHY. I just wondered whether or not you embodied in your motion, Senator, that during these executive sessions, I don't know how long they will last—they may be held 2 or 3 days a week, I don't know how many days a week—did you embody in your motion that on the days we were not holding hearings, on this matter, we can proceed with the all-important matters that are piling up before the committee? Then, I would heartily favor that. But if it merely means to continue this in executive session, I don't think I would be too much in favor of that. May I say this, I do think that when Secretary Stevens has finished his testimony, when all the Senators have finished cross-examining me and counsel, that what we get beyond that point will be repetition. I know that Mr. Jenkins has interviewed all of the witnesses suggested both by me, Mr. Cohn, and Mr. Carr and by the military. He knows what they will testify to, and I think beyond Stevens and McCarthy it will be repetition. However, if we are going to go into executive session, where the public cannot see us and hold 1 or 2 sessions a week and do nothing the other days, it might hold up our work much longer.

If, Senator Dirksen, you would provide that if executive sessions are held, that they be held every day until the matter is ended, then I would favor it. Or if you provide in your motion that on the days that this committee was not sitting in this matter, that we could proceed on the matters that, as I say, have been piling up, a great number of Communists in defense plants, some in the military, we have disturbing reports about Communist infiltration of Army intelligence, there are many things we must go into if we are not held up, then I would favor your motion.

Senator DIRKSEN. May I say, Mr. Chairman, that I fully share the solicitude of Senator McCarthy about a resumption of the regular work of the committee. However, action on that matter was taken independently of anything else, and, I suppose it ought to be handled on the basis of an independent motion. But insofar as the work of the committee does not relate to anything that is relevant to the controversy, it would occur to me that at the earliest possible date the committee ought to resume its regular work.

Senator McCARTHY. May I suggest, Senator Dirksen, you have the entire committee here. There is no reason why you can't incorporate

that in your motion, just the simple addition that on the days, other than Saturday and Sunday, that this committee is not sitting, that we resume our old work. It is awfully important when the session is drawing to a close. If you do that, good. Or, if you would provide in your motion that we merely accept the offer made by Mr. Welch, I accepted that, in fact, as you know, I went a step further—Mr. Welch suggested that we hear Mr. Stevens fully and then hear McCarthy fully, I said I would not only accept that but I was willing to dismiss Mr. Stevens from the stand because I felt we were not getting too much information in view of the time consumed.

You add a new element which could prolong the hearings and hold up our work, frankly, indefinitely, unless you provide in the motion that the hearings will be held every day until concluded or that you provide that on the days they are not held we can do our other work, period.

Senator DIRKSEN. Frankly, I would have no objection to the inclusion of that item in the motion, provided, of course, that the regular work of the committee could be resumed in every field except where some element of the present controversy might come into play. I think that would be only fair, of course. It is my understanding that there is plenty of work on the agenda to keep the committee busy in any other field.

Senator MCCARTHY. A tremendous amount.

Senator MUNDT. In that connection, quite apart from any relation to the motion, the Chair has been advised that the prolonged investigation which has been taking place in Alaska for over 6 months is being vitiated by the fact that the statute of limitations is running out this month and next on some of the charges. It was suggested to the Chair that he undertake the Alaska investigation, and he said, "No, thank you, we have work enough on this at once and at present."

However, it presents a real problem. May I say, as the Chair he is primarily interested in one problem, and that is that he wants to be sure that any arrangement that we work out does not in the opinion of any of the parties to the dispute do violence to justice and equity insofar as your interests are concerned.

I want to ask you that question and get a direct answer, if I can, and I would like to ask that question of all other parties to the dispute, because we want these hearings, when we finally have adjudicated them, to be adjudicated fairly and equitably.

Do you feel that the arrangement suggested by Senator Dirksen would do violence to your position or the position of those associated with you from the standpoint of the principles of equity and justice?

Mr. BRYAN. Did you speak to me, sir?

Senator MUNDT. No, sir, I am talking to Senator McCarthy.

Senator MCCARTHY. Mr. Chairman, let me discuss this with the other two young men involved.

Senator MUNDT. Surely.

Senator MCCARTHY. Mr. Chairman?

Senator MUNDT. Senator McCarthy?

Senator MCCARTHY. I am not sure if I fully understand Senator Dirksen's proposal. It is this: that we hear Secretary Stevens in public session, hear Senator McCarthy in public session, and then we go into executive session and hear other witnesses.

Senator DIRKSEN. Whatever other witnesses the committee may decide to hear in order to dispose of the matter. That, of course, is a matter for the committee to determine.

Senator McCARTHY. May I say this is the first that that suggestion has been brought to my attention. At this moment, I can see nothing to be gained by a continuation in executive session. I think if you were to accept Mr. Welch's original proposal, I would go along with that. Once we get into executive session, we can prolong that all summer and never get to the work that we should be doing. I am inclined to think that public opinion is going to force the committee to cut these hearings off fairly soon and get back to our work. As the Senator knows, this is the first this suggestion has been made to me. I was under the impression from the news stories that he was going to make an entirely different motion, that is, that Secretary Stevens and I be heard in full.

As I have said often, I think it would be a great mistake, not that I enjoy going on that stand, you understand, but I think it would be a great mistake to conclude the public hearings without giving the Senators a chance to cross-examine me in as much detail as they would want to. But beyond that, if you would end the hearing after Stevens and I finished, I would go along with that heartily.

May I say that my sole concern now is to get back to the all-important work we are doing. As Senator Mundt said, we have a very—I shouldn't say very, but a rather important matter, involving alleged fraud, corruption, and bribery in Alaska. The statute of limitations is about to run out on some of the alleged criminal violations.

I would like to get back to that and I would like to get back to Communists in defense plants. But in conclusion, Senator Dirksen, I do not know that your proposal would speed things up.

Senator DIRKSEN. The point is that there has to be a saving clause, for if the committee undertook to get some clarification on a particular point, it would have its hands tied unless there was a saving clause to the effect that clarifying testimony could be taken in executive session.

Senator McCARTHY. Could you put a time limit on the number of days or weeks in executive session? If you could, I would go along with it.

Senator DIRKSEN. I would have no objection to a reasonable time limit. But I may say that this motion is made entirely on my own responsibility, and I think all the principals agree that I have not explored it any further with them since the last session we had on Monday of last week.

So I am doing this entirely on my own responsibility. I do not know what the reaction of other principals will be. But I do believe that it can be worked out so that in executive session, without spending too much time or having too many sessions, whatever clarifying and supplementary material may be necessary, could then be obtained.

Senator MUNDT. Quite apart, now, Senator, from the question of whether this saves time or does not save time, the Chair asked you a question which I do not believe you answered.

Assuming the Dirksen amendment is approved, the Chair would like to know whether you, speaking for you and your two associates, would feel that this in any way does violence to justice and equity insofar as your position and your interest in this case is concerned.

Senator McCARTHY. Can I have just 1 minute, Mr. Chairman.

Senator MUNDT. You may.

Senator McCARTHY. Mr. Chairman.

Senator MUNDT. Senator McCarthy.

Senator McCARTHY. To answer your question, as the Chair knows, these charges were not brought by me, they were brought by Mr. Stevens and Mr. Adams. As the Chair knows, I claim they brought them to call off the hearings and they were successful in doing that. I don't want to give Mr. Adams and Mr. Stevens any more success in prolonging the hearings indefinitely.

At this point may I say I am worried for fear if we go into executive session we may continue indefinitely, because once Secretary Stevens and McCarthy have finished testifying, whatever comes after that will be repetition. We can continue that repetition all summer or all next summer.

I believe that many of the Senators, I at least hope so, are smarting under the pressure of public pressure to get this circus about Schine's shoes called off. As long as we are going to have hearings, Mr. Chairman, I would prefer that they be in public.

Senator MUNDT. You still have not answered the question.

I will ask you the third time. If you will answer it would be helpful. If you won't answer it I can't compel you to. Do you feel that working out an arrangement along the lines suggested by Senator Dirksen, aimed for shortening the hearings and essentially discontinuing them with the testimony of Secretary Stevens and Senator McCarthy, except for such collaborative witnesses as it might be desired to call in executive session, do you think that would do violence to justice and equity insofar as your position is concerned?

The Chair is primarily interested in having this thing done equitably and justly. If we can work out through negotiation or arbitration or a motion, something for shortening the hearings which will not vitiate that goal, the Chair would certainly support it.

On the other hand, if any party to the hearings says "This will not be just or fair as far as I am concerned," then the Chair would be inclined not to so do it.

I ask you that direct question now.

Senator McCARTHY. Mr. Chairman, it would do no violence to justice and equity insofar as the issues here are concerned. Unless there is some assurance, however, that the executive sessions be terminated within a reasonable length of time, it could do grave violence to justice insofar as holding up the committee's work is concerned. I want to get back to the some one hundred thirty-odd, my staff tells me, Communists in defense plants. I want to get back to the Alaska situation.

Your proposal, answering you directly, will do no injustice, no violence or injustice insofar as settling the issues in this case are concerned.

Senator MUNDT. Thank you.

Senator McCARTHY. But I have one further concern—pardon me for repeating it over and over—and that is that there be something in Senator Dirksen's motion which will limit this so we won't be in executive session 1 day a week, 2 days a week until next fall, with all of the important work of the committee piling up. I think Senator Dirksen should put some limiting clause in his motion. It would be

much more acceptable to me, although I am not voting on it, and I hope it would be more acceptable to the Senators—period.

Senator DIRKSEN. Mr. Chairman, I don't believe the suggestion is unreasonable. I believe there is a point in it. It is a matter that deserves consideration.

Senator MUNDT. Mr. Welch, in line with the general line of inquiry suggested by Senator McClellan, you have heard my colloquy with Senator McCarthy, and will you please speak to the matter which is before us now, or if Mr. Stevens would prefer to speak for himself, the Chair will recognize either one or both.

Mr. WELCH. I will speak first, Mr. Chairman, if I may.

Senator MUNDT. Surely.

Mr. WELCH. I shall direct my first two answers to what I understood to be two separate inquiries by Senator McClellan.

The first inquiry, if I understood him correctly, was as follows: Has the Army agreed to this proposition prior to its being presented here this morning? The answer, Senator McClellan, to that question is in the negative.

The next question is, is Senator Dirksen's motion acceptable to the Army, to Mr. Stevens and to Mr. Adams. The answer to that question is in the negative.

Senator MUNDT. Let me ask you the same question, Mr. Welch or Mr. Stevens, that I asked Senator McCarthy. Do you feel that the suggestion as made by Senator Dirksen would do violence to justice and equity insofar as your clients in this controversy are concerned?

Mr. WELCH. The answer to that question is in the affirmative. I think it would do violence to justice and equity.

Senator MUNDT. Does that mean that you feel that any change whatsoever in the direction of shortening the hearings would do such violence or that you simply object to the proposal made by Senator Dirksen?

Mr. WELCH. I do not say that any move to shorten the hearings is hopeless, but I do say, as I have constantly said last week and now this week, that we must hear the principals in this case plus such collateral witnesses as are obviously necessary either to support or subtract from the testimony given by those principals.

The names of the principals are familiar to everyone: They are Adams, Senator McCarthy, Mr. Cohn and Mr. Carr.

Senator MCCARTHY. Mr. Chairman.

Senator MUNDT. Just a minute, until I have finished with Mr. Welch.

May I inquire further, Mr. Welch, so the record will be completely clear, whether in suggesting that the hearings continue until at least all those people whom you have named are heard, you are representing the position of Mr. Stevens and Mr. Adams or the Army or whoever you consider to be your client? Do you speak with their approval and authority? We are talking now about continuing the public hearings until we have explored completely the minds of the witnesses that you have mentioned.

Mr. WELCH. I did not say what I have said without conferring with Secretary Stevens and Mr. Adams. Of course, they authorized me to say what I have said.

Senator MUNDT. I expected that but I wanted that to be in the record.

Senator McCARTHY. Mr. Chairman, could I ask the Chair——

Senator MUNDT. May I call on Mr. Bryan first. Mr. Bryan, you may speak next.

Mr. BRYAN. Mr. Chairman, this is the 13th day of these hearings. As far as I am concerned, I have heard nothing during these 13 days that involves Assistant Secretary of Defense Hensel in this situation. I have stated to this committee before that the so-called Hensel matter is entirely collateral to and not a part of this controversy at all. As far as Mr. Hensel is concerned, therefore, Mr. Hensel has no objection to any reasonable shortening of the hearings in the public interest.

However, if there is at any point testimony directed at Mr. Hensel, then I feel very strongly that Mr. Hensel should have the right to answer that testimony in the same sort of forum in which it was given, namely, the public forum before this committee.

Senator MUNDT. May I ask you, Mr. Bryan, presupposing that Mr. Hensel is not brought into the controversy in sworn testimony by itself, by Mr. Stevens in his concluding testimony, or by Senator McCarthy in his testimony, should the arrangement proposed by Senator Dirksen prevail, would you then feel that following the formula which you heard Senator Dirksen describe, would in any way do violence to justice and equity insofar as your client is concerned?

Mr. BRYAN. I would feel, Mr. Chairman, that under the circumstances you have described Senator Dirksen's suggestion would do no violence to justice and equity insofar as my client was concerned.

Senator MUNDT. Thank you, sir.

Senator POTTER. Mr. Chairman.

Senator MUNDT. Senator Potter.

Senator POTTER. As a result of conversations this morning, it is evident that there is a great deal of divergence of views concerning how the hearings shall take place from here on. I share the view of Senator Dirksen and I think all members of the committee that we should conclude the hearings as soon as possible, recognizing the fact that all members of the committee—and I am sure all of those involved—are anxious and desirous of having the full facts presented. I would like to make two suggestions. My thought is the testimony of Mr. Stevens probably has given the full Army case. I may be wrong. That is something he would have to answer. But it would seem to me that a thorough examination of Mr. Adams would be 90 percent repetition of the testimony of Mr. Stevens.

I would like to make the suggestion that during the course of Mr. Stevens' testimony he step aside from time to time for another witness to testify on points raised, and that possibly during the interrogation of Senator McCarthy that same procedure be followed. I am thoroughly convinced that, possibly with the exception of a few minor points, at the conclusion of Senator McCarthy's testimony the full story will be told.

I want to reemphasize that this committee is not interested in a whitewash of any kind, and I am sure of that, as a result, when the hearings conclude, no person can accuse the committee of whitewashing this case. But I do want to emphasize the fact that as a committee we have a certain responsibility to eliminate as much repetition as possible so we can conclude these hearings to the satisfaction of the public and get on with our more important work.

Therefore, Mr. Chairman, I would suggest that you contact all the principals in the case and arrange for an executive meeting of this committee itself during the noon hour or at the conclusion of our hearings tonight so that we will have a definite plan as to how our hearings will carry on in the future.

Senator MUNDT. May the Chair say that he has followed—

Senator DIRKSEN. Mr. Chairman, let me make this suggestion. It is quite evident, of course, that not only must the committee resolve this issue but it is the responsibility of the committee to resolve the issue. It is certainly current practice with Senate committees to determine how much or how little testimony they are going to take by way of ventilation of a piece of legislation or an issue. And so I make this suggestion, Mr. Chairman, that we have an executive meeting of this committee at 1:30 today, for the purpose of resolving it, at which time I will present the motion, maybe present it in refined form, but at that time we can vote it so that if the motion is made and there is a second, it then comes on for action.

Senator MUNDT. Which the Chair undertakes to interpret, then, that for the time being you are withdrawing your motion, which up to now has not had a second? That is as far as this morning's meeting is concerned?

Senator DIRKSEN. That is right, only if there is an agreement to have an executive session at 1:30.

Senator McCLELLAN. Mr. Chairman, do I understand that the Senator is now withdrawing the motion he made?

Senator MUNDT. As far as this morning's session is concerned. He has asked for an executive session to be held at 1:30.

Senator McCLELLAN. I have no objection to holding an executive session to discuss not only this proposed motion, and I assume it is a proposed motion now, since it is withdrawn, to discuss it, let the committee get each other's views and undertake to resolve, if possible, the issues that it poses.

But, Mr. Chairman, I shall urge that the motion be made in public, and the vote taken in public session. It amounts to a change in rules, and we have heard objections here to changing the rules in the middle of the game. I think the motion should be made in public. When it is made, Mr. Chairman, I reserve the right to offer a substitute motion.

Senator DIRKSEN. Mr. Chairman, the motion was made in public and the Senator from Illinois intends to press it in public. He is anxious to have a vote in public on the motion.

Senator McCLELLAN. That is all I want. But I do, Mr. Chairman, I understand now. Let's get the record straight. Is the motion presently withdrawn?

Senator DIRKSEN. There was no second to the motion, Mr. Chairman, as I understand it, this morning.

Senator McCLELLAN. I know there was not, but I am trying to keep the record straight.

Senator MUNDT. To keep the record straight, the Chair will say he heard no second to the motion, so it is not before us.

Senator DIRKSEN. The motion has not been withdrawn, however, Mr. Chairman.

Senator MUNDT. That is right. You have served notice that you intend to introduce it.

Senator McCLELLAN. There is a difference, Mr. Chairman, in a motion in public hearing and a motion in executive session. It is either before us or it isn't. That is what I want to settle.

Senator MUNDT. The Chair will say that it was before us long enough for purpose of the record to be seconded and it was not seconded.

Senator McCLELLAN. There is no motion pending then?

Senator DIRKSEN. Mr. Chairman, the motion has not been withdrawn, because only the author of the motion can withdraw it.

Senator SYMINGTON. May I suggest that the motion be read?

Senator McCLELLAN. Just a moment. I want to know, Mr. Chairman, and I think we are entitled to a ruling on it, is there now a motion pending before this committee or is there no motion pending?

Senator MUNDT. As the Chair has ruled for the third time, Senator McClellan, for want of a second there is no motion pending before this committee.

Senator McCLELLAN. Then the motion loses as made, for want of a second?

Senator MUNDT. I wouldn't say that.

Senator McCLELLAN. The author of it says he has not withdrawn it. I would like to get the record straight. They cannot be both.

Senator MUNDT. Would the Senator like to have the Chair sit here and wait longer for a second before he makes his ruling?

Senator McCLELLAN. No, sir. Declare the motion lost for want of a second. That will take it off the record.

Senator MUNDT. I will declare that there is no motion before us, for want of a second. I cannot say it is lost as it has not been voted on.

Senator McCLELLAN. Then there is no motion before us?

Senator MUNDT. That is correct.

Senator DIRKSEN. Mr. Chairman, the motion will be re-presented both in executive session and in public hearings.

Senator MUNDT. The Chair understands that.

Senator JACKSON. Do I understand, Mr. Chairman, that the executive session at 1:30 we are to discuss the proposed motion but we will not vote on it in executive session?

Senator MUNDT. It is my understanding that we are to discuss it together with any other suggestion that may be brought up, but that any action which might be taken at executive session would be considered tentative and would have to be confirmed in open session in line with Senator McClellan's suggestion.

Senator JACKSON. It would have to be voted upon in public session?

Senator MUNDT. Well, I would say confirmed or voted upon, yes. In other words, I think that Senator McClellan's position is that if we take a vote in executive session, it should not be finalized except by opening it up and discussing it again in public session.

Senator JACKSON. I want to make it clear that I personally feel—

Senator MUNDT. You have no objection to that, have you?

Senator DIRKSEN. No, but I will press it in executive session and open session.

Senator MUNDT. Surely. We have an understanding out in public now, which we now have, that any decision made in executive is tentative and has to be finalized in public session. Certainly, the Chair would associate himself with that position, and he thinks that is a fair one.

Senator McCLELLAN. Mr. Chairman, that is not proper parliamentary procedure. If a motion in executive session is voted, then that is final action of the committee and you would have nothing before you in public session.

Senator MUNDT. Does the Senator from Arkansas have any idea of what the Chair can do to prevent a motion from being made in executive session?

Senator McCLELLAN. No, sir.

Senator MUNDT. Neither have I.

Senator McCLELLAN. I have no idea on what you can do to prevent it. I am merely presenting my position. I thought I had a right to do that.

Senator MUNDT. I thought I met that position. The Chair has gone a long way in suggesting that any action we took in executive session must be reiterated and reconfirmed in public session.

Senator McCLELLAN. I am talking about a parliamentary situation. You either vote for something or you don't. If you make such a motion and take a vote in executive session, and it has to be conditioned that the motion is re-presented here, the only way to hold it up, and that the action here would be final——

Senator JACKSON. If that is included in the motion, then it can come before the committee. But I don't see how it can come before the public session, if you have voted something, unless we are going to take up a motion to reconsider it.

Senator MUNDT. It seems to me we are wasting a lot of time discussing an arrangement which we all seem to have accepted by mutual agreement.

Senator McCLELLAN. I have not accepted it, Mr. Chairman. I am protesting it now. I am trying to state my position. I want to offer a substitute motion. I want to offer that substitute motion in public, let it be voted on in public, and if you take that final action in executive session, I would have no opportunity to do that. That is the only position I am trying to get straight.

Senator MUNDT. It looks as though the author of the motion which was not seconded has gone to his other meeting. I am sure we can work out in executive session a procedure which will be satisfactory, since we all seem to agree that whatever is done finally can be done in public session. May the Chair make this additional statement, that we will meet in room 357, then, in executive session, at 1:30. Mr. Welch will be invited to attend, Senator McCarthy will be invited to attend, Mr. Bryan will be invited to attend. The purpose of the meeting is to discuss, again, whether a satisfactory formula can be found for the problem of trying to shorten these hearings without doing violence to justice and equity. The Chair understands that Mr. Welch speaking for himself and his client opposes the formula as proposed, although not seconded, by Senator Dirksen. The Chair has held that he thinks it is very important, as far as he is concerned, that these hearings proceed as expeditiously as possible, without in any way denying parties to this dispute what they consider a fair and equitable hearing. So, if it continues to be the position of Mr. Welch and his client that he wants these hearings to go on and on until we have succeeded in having the numerous witnesses who would have to be called, the chairman is certainly willing to continue to preside

along with that contention. But I do think it is important enough to justify an executive session and see whether there is still an opportunity for a meeting of minds before we commit ourselves to a procedure which seems certain to take another 3 or 4 weeks, with the speed we are making and the number of witnesses that have been proposed. If neither counsel nor anyone else wants to be heard on this suggestion, we will proceed.

Senator SYMINGTON. What is the motion that was presented by Senator Dirksen?

Senator MUNDT. I am sure you were here. You heard the colloquy. It is not before us now. If you would like to have it read, I would be happy to have the reporter read it.

Senator McCLELLAN. Mr. Chairman, in order to expedite it, I would suggest that the reporter be requested to type up the motion and present it to us after recess.

Senator MUNDT. I think that is a splendid idea; and make copies enough for all the members of the committee.

Senator SYMINGTON. What I would want to get, Mr. Chairman, is what it was that Senator Dirksen and presumably you want to be looked at at 1:30. I would like to have it and study it before I discuss it.

Senator MUNDT. It seems like a reasonable request. We will ask the reporter to make copies for all the committee. Although, if the Chair understood Senator Dirksen before he went out, he said he was going to refine it.

Senator SYMINGTON. That is what I understood, and I would appreciate an opportunity to see it before the 1:30 meeting.

I might add that my present position at this time is that I am strongly opposed to it.

Senator DWORSHAK. Mr. Chairman, may I make a brief comment? Apparently there is a complete lack of agreement among the members of the subcommittee and the counsel for the principals, as to procedural methods. But certainly we ought to have some agreement that having continued this hearing for 12 days we have accomplished only about half as much as we should have accomplished. And I think we ought to take some steps to continue the hearing with dispatch and expedition so that we can accomplish the original objectives.

I think the public interest can best be served not by continuing indefinitely a public spectacle which distracts and diverts the members of this committee and the officials of the Department from more important and vital business.

I think that is our major objective, to attain the goal originally outlined without unnecessarily prolonging this public spectacle.

Senator MUNDT. That certainly is the Chair's objective; that is the reason he asked each party to the dispute directly, out in public, whether he felt these arrangements would do violence to their positions from the standpoint of justice and equity.

Senator McCarthy said it would be satisfactory and Mr. Bryan said it would be satisfactory.

Mr. Welch said it would be unsatisfactory.

The Chair has no disposition to superimpose upon the parties to the dispute a position which seems to be objectionable to one of the parties in the dispute. May the Chair say this much, finally, over

the weekend he received many phone calls from people in America whose thoughts he respects. It was suggested in answer to your suggestion, Senator Dworshak, that we change the procedure of this committee to conform with that used in the Oppenheimer investigation. They told me that they considered these two investigations very analogous.

Inasmuch as the Oppenheimer investigation was in security matters in connection with making the hydrogen bomb and this one deals with security matters in connection with the radar protection against the hydrogen bomb, they lead the chairman to the point where they said our committee might be doing a disservice by continuing to hold hearings dealing with security matters involving our protection against the hydrogen bomb.

Consequently, the Chair is exceedingly pleased that we have had this public discussion about the procedures and the methods, because at least we do not want the country to believe that this continuation, if there is a danger involved to our security, grows out of a committee desire, relentlessly, to continue a hearing which the disputants think should be concluded.

We have made available to the disputants an open forum to express themselves. The Chair has said repeatedly that he doesn't see how you can change the rules without action by the full committee to switch over to the Oppenheimer type of investigation which was to conduct the investigation in secret.

If there is a danger to our security, I think we should do what we can to try to work out a procedure which will protect that. If there is none, of course, the analogy fails. We have—is anyone else going to be heard on this?

Senator POTTER. Mr. Chairman, I think it well for all of us to recognize what the objective in this particular conflict is. Charges were made by the Army and counterstatements were made by Senator McCarthy and his staff. The purpose of the hearing was to ascertain the true facts. I am sure that that is the committee's sole purpose in holding these hearings. I was out of town over the week-end, and I noted a great deal of hysteria that the committee was going to whitewash somebody, somehow. I can assure you—and I am sure I am speaking for all members of the committee—there is no desire on anyone's part to whitewash the hearings, but we are desirous of bringing these hearings to an end as soon as possible.

The suggestion was made by Senator Dirksen that, after interrogation of Senator McCarthy, we go into executive sessions and have the transcripts come out as they did in the MacArthur hearings—certainly no one can accuse the Armed Services Committee when they conducted the MacArthur hearing of whitewashing anybody. I think the true facts and the full facts came out as a result of that. I am confident that we will expedite the hearing considerably, and I can see no reason personally for not accepting a time limit on the executive sessions. I think everybody's interest will be well protected, and I sincerely hope that we can have some understanding on that point either in executive session or in open hearing.

I want to emphasize again that there is no effort on anyone's part to hide any of the facts or to whitewash this hearing.

Senator SYMINGTON. Mr. Chairman.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. May I ask Senator Potter how are you going to shorten the hearings by simply putting them into executive session?

Senator POTTER. Well, Senator Symington, I do not know whether it is the glare of those little old red bulbs on the television sets or not, but there is always a tendency for more questions that are not relevant, and more answers that are long when the little red bulbs are shining on that television set.

Senator JACKSON. May I suggest if we are going to have a time limit, if that is the premise, then the time limit ought to be in public just as well as in executive session; I don't see how logically, if the word "logic" has any meaning any more, I don't see how you can place a time limit on an executive session, but you cannot place a time limit on a public session.

Senator POTTER. I would——

Senator MUNDT. Senator Potter.

Senator POTTER. One of the reasons is equity. Secretary Stevens has been here—this is the 13th day, I believe—and I think on the other side there should be a time limit also. If we start in executive session or in a continuation from here, everybody starts on an even keel. Otherwise, gentlemen, we are going to be here for 2 months and you might just as well make up your mind whether you are going to allow the Senate business that we are all engaged in and the business of running the Army, in which the Secretary is engaged, to go by the wayside while we continue this repetitious hearing or whether we are going to try to get down to the core of the matter and ascertain the facts as quickly as possible without doing injustice to any of the principals involved. That is the core of the whole discussion here this morning.

Senator McCLELLAN. Mr. Chairman.

Senator MUNDT. Senator McClellan.

Senator McCLELLAN. I don't think there is any member of this committee any more unhappy about this situation than I am. I have things I need to be doing, but I think there is a tendency to forget, to disregard the seriousness of the charges that we are investigating.

I want to get on with investigating Communists and subversive action in government. That is highly important. But, Mr. Chairman, we have charges here that the Secretary of the Army has attempted blackmail, intimidation, and coercion to prevent an investigation of Communists in the Army. I say to you, Mr. Chairman, there could be no more serious charge made, and if we do have today as Secretary of the Army a man who would resort to the tactics and the conduct that he is charged with here, Mr. Chairman, the place to begin to clean house and clean out Communists is to clean out from the top where they are being coddled, if these charges are true. If you try to minimize these hearings and the importance of them, if these are reckless and irresponsible charges, then it ought to be ascertained immediately and remove the cloud of doubt or suspicion that these charges have brought upon the integrity of the Army under its present administration.

I didn't make the charges but they are here, and if this Secretary of the Army has been coddling Communists, has been trying to intimidate a committee of the United States Senate whose duty it is to investigate these Communists and subversive activities in government, has

been holding a private in the Army as hostage and refusing to give him what he was entitled to simply to try to intimidate this committee, it is time, Mr. Chairman, that the people of this country found that out and the place to start would be at the top and not at the bottom.

On the other hand, Mr. Chairman, if the other charges are true, that members of the staff of this committee have made threats to wreck the Army and declare war on the Army if they couldn't get the assignment that they wanted for some friend or private, if those charges are true, then, Mr. Chairman, the American people are entitled to know; and if they are reckless charges, if someone has testified to that and others may that those charges are false and they prove to be false, then I say that is a terrifically reckless and irresponsible charge and he who made it ought to be held accountable for it.

I have no personal interest in it, but these charges go much further, much further than somebody shining his shoes or somebody with the name of Schine. They go to the integrity of this Government today, at this hour. If we cannot have integrity in high places, you can expect continuous Communist infiltration faster than any congressional committee can expose and eliminate them.

Senator SYMINGTON. Mr. Chairman?

Senator MUNDT. Senator Symington.

Senator SYMINGTON. I would like to associate myself in every way with what Senator McClellan has said. As a matter of fact, I don't believe anybody in this Government has tried harder than I have in the last 13 years to develop strength with which to resist advancing Communist aggression strength inside and outside of our country.

I told the people that I represent, the 4 million people in the State of Missouri, when these hearings started that I had just two main tenets as they started. The first was that these hearings were going to be conducted in a goldfish bowl and a goldfish bowl is never an executive hearing. The second was that each witness, subject to the approval of the chairman's rulings, was going to have exactly the same rights as every other witness, no more and no less.

With all due respect, to my distinguished colleague from Michigan's sensitivity to the television aspect of lengthening these hearings, I do not agree. I believe that executive hearings at this time as these witnesses take the stand is in effect putting it under the rug. I am not for it under the rug. I completely agree with Senator McClellan with respect to the seriousness of these hearings, and I believe the American people have the right, if they want to and only if they want to, to look and to hear and to read about them.

Mr. WELCH. Mr. Chairman?

Senator MUNDT. Mr. Welch—and I think the Chair will have to deny Senator McCarthy and Mr. Hensel any further senatorial privileges at this time on this topic, because we are going to have an executive session this afternoon at which you can all make your points extremely clear, and Senator Dirksen has indicated he is going to bring his motion up in public afterward, at which time you can be heard again.

I do think that we will have to limit the committee discussion to the committee members who are going to be called upon to vote at this time. We have asked each of you to make your position clear. Each of you has done so. We respect your right to do so.

I would like to say, however, so there is no misunderstanding, to those who may have tuned in at a particular time on the radio or television, as far as I know nobody on this committee and nobody involved in the dispute has said that these charges are to be minimized, that they are not important. They certainly must be important to the people who made them, and they must be important to the people who are endeavoring to answer them on the radio.

I have said repeatedly, as far as the Chair is concerned, I want these hearings to pursue the truth to arrive at a just and equitable conclusion. I am motivated by that much more than I am about the particular committee procedure. I frankly am disturbed a bit when thoughtful friends of mine call up, as they did over the weekend, and say that we should give some thought to trying to handle this question of security risks as the Oppenheimer question of security risks was handled. Apparently the people and the press unanimously applaud the Oppenheimer procedure in the Oppenheimer case.

Many segments of the press and some elements of the public are criticizing our committee for doing this in public. I think it is well that we reappraise the situation, therefore, to make sure if security risks are involved in this terribly dangerous world in which we live, in connection with our best protection against the hydrogen bomb, namely, the aspects of radar.

It merits an executive session to determine (1) whether we can refine our procedure better to protect the security of all Americans, and (2) just what each party to the dispute actually wants to have from the standpoint of procedure.

If it is desired by any element to get justice that we should continue for 2 months and keep the Senate and the Army tied up, that party has a right to make his position known publicly and our committee will then vote.

As far as the Chair is concerned, he will continue to vote in the direction of providing a forum here which all parties to this dispute consider fair and equitable. Once the parties to the dispute, if they ever can, arrive at a procedure which will give some reasonable possibility of terminating these hearings in the next 2 weeks or 2 months, then the Chair will certainly never be in position of voting to say, once the parties to the dispute are satisfied to adjudicate their differences, that we should prod them in the back and whip them over the wrists urging them to continue to accuse each other in public session.

Unless there are other statements to come from committee members, we will proceed with the interrogation of Secretary Stevens.

Senator SYMINGTON. Mr. Chairman?

Senator MUNDT. Senator Symington.

Senator SYMINGTON. I would like to make a very short observation. I would be entirely willing to limit to whatever was considered appropriate by the committee the length of time that any witness was on the stand. It seems to me such a logical solution of this problem that I am dismayed that it hasn't been taken up seriously before.

Senator MUNDT. Does any other Senator care to be heard before we start with the interrogation?

Senator POTTER. Mr. Chairman, Senator Symington indicated that he wasn't interested in sweeping anything under the rug. In the discussion this morning, I believe no Senator made any statements that they wanted anything swept under the rug. I think it has been made

perfectly clear and has been enunciated many times, that we are interested in getting all the facts, but we are not interested in hearing the same story told in 10 different ways.

Senator MUNDT. Any other Senator before we start with the interrogation of Mr. Stevens? We are about to start.

Mr. Stevens, you are back on the witness stand now and we will start with Counsel Jenkins if he has any questions.

Mr. JENKINS. Mr. Chairman, I have no further questions to ask at this time.

Senator MUNDT. The Chair will pass.

Senator McClellan?

Senator McCLELLAN. Pass.

Senator MUNDT. Senator Dirksen had to attend the executive meeting of the Judiciary Committee and he so advised the Chair.

Senator Jackson passes and all others.

Mr. Welch?

Mr. WELCH. I pass.

Senator MUNDT. Senator McCarthy or Mr. Cohn?

Senator MCCARTHY. Mr. Cohn.

Mr. COHN. Mr. Secretary, will you now tell us the name of the person or persons who gave an honorable discharge to the Communist major, Major Irving Peress?

Mr. JENKINS. Mr. Chairman, it is my opinion that that question and any answer elicited thereby would be wholly irrelevant to the issues of this controversy.

Mr. COHN. May I be heard on that, Mr. Chairman?

Senator MUNDT. Briefly.

Mr. COHN. Thank you sir. I would respectfully direct the attention of Mr. Jenkins to the specifications which we supplied in this case, in which we make as an allegation here the fact that one of the motivations of bringing about this proceedings, stopping the hearings of our committee, was a cover-up by Mr. Stevens and Mr. Adams of the people responsible for the handling of the Peress case in the Army. We were told by Mr. Stevens that the Inspector General's report which took 3 months has finally been finished and that the names are now available. I think it is a very important test here to see whether Mr. Stevens even at this late date will give the American people the name of those who gave an honorable discharge to this fifth Amendment Communist.

Mr. JENKINS. Mr. Chairman?

Senator MUNDT. Mr. Jenkins.

Mr. JENKINS. The very fact that a specific allegation is made by Senator McCarthy's staff does not necessarily make it relevant. The same holds true with respect to Mr. Stevens and Mr. Adams. Mr. Cohn is now attempting to go into a specific case, and for the reasons I have heretofore advanced I renew my objection.

Senator MCCARTHY. Mr. Chairman, may I be heard?

Senator MUNDT. Briefly.

Senator MCCARTHY. Thank you for the "briefly" Mr. Chairman. I didn't think anyone was too brief here this morning. I would like to be heard in as much detail as I consider necessary.

Senator MUNDT. The Chair will listen so long as you talk to the point of order.

Senator McCARTHY. I will be talking to the point of order. Mr. Chairman, one of the important charges here is that the allegations against Mr. Cohn, against Mr. Carr, against myself, were brought up and formalized the night after Mr. Stevens met with us. That was the night that he agreed to give us the names of those who were responsible for a plush duty order to the 5th amendment Communist major, the reports on the Congressmen who intervened to get the plush duty order for the 5th amendment Communist major who was destined to go to Yokohama, the orders changed, the promotion, the honorable discharge. As the Chair knows, Mr. Stevens promised us that information at that time. He now says that he has that information. I think it is very important to test his good faith to see whether he still wants to cover up those who got plush orders for this major. He is not at all hesitant, Mr. Chairman, to give all the details about a private who walks on the wrong side of a jeep, or who pays a dime to get his shoes shined. I think this is extremely important, to find out whether he is willing to give us those names now. If he has some reason why he doesn't want to give them in public, then I ask that he be ordered to send up to the Chair the names of those responsible.

Mr. Chairman, this is the very heart and soul of this investigation, not to dig out the one Communist, but to dig out those who have covered, protected, and coddled Communists, and that information has been promised. Mr. Chairman, there is no reason on God's earth why those names should be kept secret at this time.

Senator MUNDT. Anything further to say, Mr. Jenkins?

Mr. JENKINS. I certainly know no reason to reverse the position I have taken, Mr. Chairman. I think it is sound and still renew my objection.

Senator McCLELLAN. Mr. Chairman?

Senator MUNDT. Senator McClellan.

Senator McCLELLAN. I do not think it advisable, necessary, or proper to go into the details of each individual case. The statements the Senator has just made reiterate the charges against the Secretary of the Army and the integrity of the present administration of the Army. I think the Senator is entitled to have those names submitted to the committee if the Secretary is now in a position to do it. I want to expedite these hearings, but this question and this line of testimony reiterates how serious these charges are, and I think if the Secretary is in position to do it, the names of those through whatever processes occurred, or the routine of discharging folks from the Army, I think the names in the Peress case should be submitted to this committee.

Senator MUNDT. The Chair is prepared to rule. He believes that it might be unwise to submit the names involved publicly. But he is prepared to rule that certainly involved throughout these hearings have been charges and countercharges about whether or not they were ever going to disclose the names of those responsible for the Peress promotion, and if those facts are now available, he believes that the Secretary, through counsel, should submit them to the counsel of our committee and without necessarily releasing them to the press, unless Secretary Stevens feels that he should release them to the press at this time. You may rephrase your question on that basis and the Chair will rule it in order.

Mr. COHN. Mr. Chairman, I was going to state this so it may be very clear, if we may, exactly what we desire to obtain from Mr. Stevens at this time. I would like to point out that what we want is information bearing on allegations 41, 45, and 46, in the bill of specifications filed by Senator McCarthy in behalf of himself, Mr. Carr, and myself, specifically specification 41, Mr. Chairman, which alleges that on or about February 16 Mr. Adams advised, and he had on prior occasions, that if the investigation continued he, Mr. Adams, expected to be acutely embarrassed over the Peress case, as no followup action had been taken on it by him, Mr. Adams, and that he, Mr. Adams, might be charged with primary responsibility for allowing an honorable discharge to issue to Peress on February 2, 1954.

We would want to know, Mr. Chairman, the full details supplied to Mr. Stevens as to what Mr. Adams' role was in the honorable discharge of Major Peress, particularly during the month of January and particularly between the time Peress appeared in executive session on January 30 and the time the discharge was issued on February 2, and whether Mr. Adams did anything to stop it——

Senator MUNDT. The Chair has ruled on the point of order and suggested that you ask questions which will keep within the framework of that ruling.

Mr. COHN. Very well.

I will now ask you, Mr. Stevens, with reference to the Peress case, whether or not Mr. Adams had any participation in the honorable discharge of Major Peress, specifically on February 1, 1954.

Secretary STEVENS. I don't know. Mr. Adams can testify on that.

Mr. COHN. Mr. Chairman, I submit that Mr. Stevens has been telling us——

Senator MUNDT. It was suggested that you ask the Secretary whether he knows of any connection. If he says no, that is as far as he can go with his own information.

Mr. COHN. Mr. Secretary, I might reword it this way: Mr. Secretary, you told us on last Friday that the Inspector General had submitted to you finally a complete report as to the names of those responsible for every step in the handling and mishandling of the case of this fifth amendment Communist major. Is that so, sir?

Secretary STEVENS. No, you put a lot of words in my mouth on that statement that I did not make. Look it up in the record.

Mr. COHN. Would you please correct me, sir.

Secretary STEVENS. Yes, sir. What I said was that the report of the Inspector General was now ready. I add to that at this time, and I don't recall that I said it last Friday, but I will add now, that I have not had an opportunity to go through this report. It is a very voluminous document. I am going to go through it at the first possible time.

I stated at the meeting on the 24th of February that I would in due course after the Inspector General's report had been submitted, supply the names that you have talked about. I have made public a letter on February 16 dealing with this whole matter, and I am prepared to submit those names to the counsel for this committee just as soon as I have gotten a chance long enough away from the committee to have a chance to go over the report myself, which I have not yet had a chance to do.

Mr. COHN. Mr. Chairman, I might state I think the Secretary knows from the emphasis we have placed on it during this last week the great importance that we attach—I might address it to you, Mr. Secretary.

Senator MUNDT. The Secretary has agreed to submit the names just as soon as he has a chance to go through the report and ascertain what they are.

Secretary STEVENS. That is correct.

Mr. COHN. Mr. Secretary, is it not so that on the basis of meetings you have had with Senator McCarthy and members of this committee, on the basis of letters and telegrams which Senator McCarthy has sent to you, on the basis of the specifications we filed in this case, and on the basis of your questioning up to now, you have had every reason to know just how much importance we attach to the mishandling of the Peress case by your office. Isn't that a fair statement?

Secretary STEVENS. Yes, I know you have had concern about it.

Mr. COHN. Then to help us along with your cross-examination and to try to wind this up, sir, would it not have been possible for you over the weekend to look at that report so you could answer those questions for us this morning?

Secretary STEVENS. Conceivably that would have been possible, Mr. Cohn.

Mr. COHN. Mr. Chairman, I can't conclude the examination until I can examine the Secretary on this information.

Secretary STEVENS. This is a very, very voluminous report. It is going to take a long time for me to go through it. I have made a commitment to submit the names to counsel for the committee and will do so at the earliest possible moment.

When my testimony is finished I will say, Mr. Chairman, that I will try to get at that report just as quickly as I can consistent with my other duties in the Department.

Mr. COHN. That won't be much help to us in this case, I am afraid, Mr. Chairman.

Senator MUNDT. You obviously cannot interrogate the Secretary successfully on a report which he has not read.

Mr. COHN. I suggest, Mr. Chairman, and I hope the Secretary in fairness to us would have been prepared on these names, because he knows how much importance we attach to them in this case. I think we are entitled to that.

Senator MUNDT. At all events he says he has not read the report and if he has not read the report I don't see how he can answer questions. He has agreed to submit during the course of the hearings the names. After those names have been submitted then counsel for the committee can advise the committee as to the next best step.

Senator JACKSON. May I make a parliamentary inquiry?

Senator MUNDT. Senator Jackson.

Senator JACKSON. I note from the charges that Mr. Adams is one who is named in connection with the Peress matter. We can dispose of this by putting Mr. Adams on the stand.

Mr. COHN. Mr. Stevens is named too, Senator Jackson. I respectfully call your attention to allegation No. 46. It says:

Messrs Stevens, Adams, and associates have been quick to publish and release a report calculated to smear the investigators and exposers of Communist infiltration, but despite the elapse of months, they—

meaning Stevens and Adams and associates—

have yet to produce for the American public the long-promised report naming those officials still serving under them who are responsible for the rise in the Army of a Communist conspirator against this country.

It is on the basis of Mr. Stevens' direct participation in and knowledge of this case that we seek to interrogate him.

Senator JACKSON. In charge 41 or paragraph 41, you state:

On or before February 16, 1954, Mr. Adams advised, as he had on prior occasions, that if the investigation continued, he expected to be acutely embarrassed over the Peress case if no followup action had been taken by him.

I don't think it is necessary to read the balance. Your charge primarily in the Peress matter is against Mr. Adams. I just call that to your attention.

Senator MUNDT. It appears to the Chair that Senator Jackson is quoting from one charge and Mr. Cohn from another. So I think both of my distinguished conferees are correct.

Senator JACKSON. In charge 45, did you refer to—

Mr. COHN. I was reading 46, the last paragraph in the specifications, Senator Jackson. The very last paragraph.

Senator JACKSON. Yes, but you do not name the Peress case. You refer to individual Communists. In paragraph 46 you make no reference to the Peress case.

Mr. COHN. If the Senator will read the entire specification I respectfully suggest in the paragraph before, "finally, a graphic example is the case of Maj. Irving Peress." If you continue reading, sir, I think you will find, although I agree with you Mr. Adams certainly had a part in it—

Senator JACKSON. I am reading the main language of it. You tie Peress to Mr. Adams but I don't get that you tied him to Mr. Stevens.

Mr. COHN. We have specifically by name, sir, on the last page beginning with the first full paragraph.

Senator MUNDT. At all events it seems to me that there is no advantage to be gained at the moment in interrogating Mr. Stevens about a report which he testifies under oath he has not read, Mr. Cohn. You can't get any information for the time being further than the fact that he will submit to us as quickly as possible, which I certainly assume will be before the hearings are over, the names which have been requested.

Senator McCARTHY. Mr. Stevens, the Chair makes a good point, and that is it is impossible to question you about a report if you refuse to read it or if you fail to read it. You understand—

Secretary STEVENS. I haven't refused to read it.

Senator McCARTHY. You understand, of course, you cannot preclude us from getting information by merely avoiding looking at that report, and sometime you have to read it.

Secretary STEVENS. I have no such intention of avoiding anything.

Senator McCARTHY. How many days has that report been in your office?

Secretary STEVENS. I think I testified last Friday that it was finished about Thursday or Friday.

Senator McCARTHY. Who has been ordered to examine that report and give you a résumé on it or report on it, if any?

Secretary STEVENS. The Inspector General and our Assistant Secretary of the Army.

Senator McCARTHY. What is the Assistant Secretary's name?

Secretary STEVENS. His name is Milton, M-i-l-t-o-n.

Senator McCARTHY. Has he been working on that since Friday?

Secretary STEVENS. I don't know.

Senator McCARTHY. Did you order him to work on that full time?

Secretary STEVENS. No, I did not. He has a lot of other duties to perform, and important ones.

Senator McCARTHY. Mr. Stevens, you have been promising us over a period of months that sometime, some place you will give us the names of those who are responsible for the gross mishandling of this Communist case. Will you tell us when, what day, what week, you can come in here and tell us whether it was John Adams or who it was who was responsible, No. 1, for the change in duty orders. When he was destined to go to Yokohama, he requested to be kept in the United States?

Secretary STEVENS. That was done as a result of the American Red Cross investigation.

Senator McCARTHY. Is that the I. G. report? Did the Inspector General say that was solely—

Secretary STEVENS. As I say I have not read the Inspector General's report.

Senator McCARTHY. You know he was asked the question whether or not Communists helped him get a change in duty orders. He said, "I refuse to answer on the grounds that it might incriminate me if I told the truth." Did you know that?

Secretary STEVENS. No, I didn't know that.

Senator McCARTHY. Then why did you tell us it was Red Cross when you don't know what the testimony about the case was?

Secretary STEVENS. I know that the American Red Cross was asked to investigate this case and made a recommendation to the Department of the Army on it.

Senator McCARTHY. Mr. Stevens, you know, as a matter of form, the American Red Cross investigates every case, and the American Red Cross is not responsible for the change in duty orders. They make an investigation and submit a report. In many of the cases, the young men upon whom a report is made, are sent overseas. You understand that, do you not?

Mr. WELCH. Objection. Mr. Chairman, may I point out that in spite of your ruling, we seem to be trying the Peress case.

Senator McCARTHY. I know it is distasteful to you to talk about the Communists, Mr. Welch.

Senator MUNDT. The Chair was upholding the validity in the question about the Red Cross. Is this about the Peress case?

Senator McCARTHY. I am trying to find out from this young man what, if anything, he knows about the report, if he has discovered up to this time who was responsible, if not, why doesn't he order someone—he seems to have a vast array of apparently competent young men behind him. Perhaps he could spare just one of that group, to go over and read the report and come back and say "Mr. Secretary, it was John Jones, it was Pete Smith, it was Nellie Gray." That shouldn't take weeks and weeks.

Senator MUNDT. Perhaps it will shorten this colloquy if the Secretary can give the committee some idea as to when he could provide the counsel with the information which the committee has requested.

Secretary STEVENS. I think that depends very largely, Mr. Chairman, on how long I continue to testify.

Senator MUNDT. Would it be possible to have one of your aides read the report and get the information, Mr. Secretary?

Secretary STEVENS. I will have to go over this report myself. I have told you and I will restate, I will submit the names to the counsel for the committee as soon as I am able to go over the report, and when I am able to go over it will depend on how long I continue to testify.

Senator McCARTHY. How many pages long is this report?

Secretary STEVENS. I don't know the number of pages, Senator, but it is a very, very voluminous document.

Senator McCARTHY. Roughly? 100? 200? 1,000?

Secretary STEVENS. I would be only guessing, but I suppose it would be 500, to pick a number.

Senator McCARTHY. You have a great number of aides behind you. Would any of them know? Have any of them seen the report?

Secretary STEVENS. I don't know.

Senator McCARTHY. Could you ask Mr. Adams if anybody has seen it?

Secretary STEVENS. Why don't we let Mr. Adams testify on this himself?

Senator McCARTHY. Have you discussed the matter with Mr. Adams?

Secretary STEVENS. The matter of the Inspector General report?

Senator McCARTHY. Yes.

Secretary STEVENS. I don't think I have, because I haven't read the report myself, Senator.

Senator McCARTHY. Have you discussed with Mr. Adams the question of whether or not he took some part in the sudden honorable discharge of this Communist officer?

Secretary STEVENS. I don't recall any conversation on that at all. I would like to remind you that I was in the Far East and got back here after Peress was out of the Army.

Senator McCARTHY. Yes——

Secretary STEVENS. So I think the testimony on it as far as Mr. Adams is concerned ought to come from him.

Senator McCARTHY. I believe you promised the Chair the other day that you would submit the memorandum that you received from Mr. Adams when you reached, I believe you said California.

Have you submitted that to the Chair yet?

Secretary STEVENS. There isn't any memorandum. I was mistaken on that. The paper that I recall now turns out to be your letter to me dated I think February 1.

Senator McCARTHY. When you said that you got a report when you arrived in California——

Secretary STEVENS. I got your letter, and read that on the way back.

Senator McCARTHY. How did you get my letter when you stopped off on your way here?

Secretary STEVENS. I got it because a courier from my office brought out a briefcase full of very important matters. This happened to be one of the items. Your letter was there. Actually, because it was

the middle of the night, I didn't have much chance to do any work on the plane coming back. But the paper that I was thinking about was your letter.

Senator McCARTHY. That was February 2. Now, between February 2 and—what day is today—the 10th of May have you discussed this matter with Mr. Adams?

Secretary STEVENS. The Peress case? Yes.

Senator McCARTHY. And did you discuss with him the question of who was responsible for the sudden honorable discharge of Mr. Peress?

Secretary STEVENS. I don't recall and I think Mr. Adams ought to testify on that. He can testify whether or not he had anything to do with it.

Senator McCARTHY. The question is—

Secretary STEVENS. I wasn't here at the time and I don't know.

Senator McCARTHY. You were in the Far East, yes. You have been back here since February 2. The question is, did you discuss with Mr. Adams, your legal aide, this very important charge, the charge that he, himself, had something to do with the sudden removal of this fifth amendment Communist from the jurisdiction of the Army, from the jurisdiction of a court-martial. Did you discuss that with him?

Secretary STEVENS. I discussed the letter of February 16, which I worked out and sent to you, Senator McCarthy. I discussed that, of course, with John Adams.

Senator MUNDT. The Senator's time has expired.

Counsel Jenkins?

Mr. JENKINS. Mr. Secretary, I am not particularly questioning you, but I want to make a suggestion, if I may. It seems that we are losing a lot of time with respect to the inquiry as to whether or not Mr. Adams had any connection or participation in the honorable discharge of Major Peress.

Secretary STEVENS. I testified I did not know, and I repeat it.

Mr. JENKINS. I understand that, now, Mr. Secretary. I am not asking you. I am making a suggestion. I understand that you now have before you the report of the Inspector General with reference to the Peress case, is that correct?

Secretary STEVENS. Not before me, but it is available.

Mr. JENKINS. I don't mean here physically today, but in your office, is that correct?

Secretary STEVENS. That is right.

Mr. JENKINS. Now, where is the Inspector General? Where is he? Is he available to you, Mr. Secretary?

Secretary STEVENS. Yes; he or his deputy.

Mr. JENKINS. He is perhaps here in Washington and perhaps has an office in the Pentagon, is that correct?

Secretary STEVENS. That is correct.

Mr. JENKINS. I believe you stated it was a 500-page document and apparently the Senator, Senator McCarthy, is wanting to know whether or not Mr. Adams had any connection or participation with the honorable discharge of Major Peress. Can you not—I am now asking you a question—can you not go to the Inspector General and have him, who prepared it, point out specifically to you the information that Senator McCarthy now desires? Can you not do that and thus obviate the necessity of your reading that entire report and thus

enable you to answer that question and pass on to something else in the interest of speed? We are still interested in that. Has that got any sense to it or not?

Secretary STEVENS. Well, I don't know. Of course, there are names that Senator McCarthy wants. I have to study that report to get those names together to submit to you.

Mr. JENKINS. As I understood it, specifically he wanted to know whether or not Mr. Adams had anything to do with it. And then the names, as I understand it, the chairman ruled are to be submitted to this committee or me, as its counsel, privately, and without exposing their names. They are not parties to this controversy. The chairman would probably hold that you are entitled to give publicly the information as to whether or not Mr. Adams had anything to do with it. I am just making a suggestion and asking you that in the interest of speed. It occurred to me that that would be a way out, a solution to the problem. Can you do it or not?

Secretary STEVENS. I can do that, sir, but it seems to me that Mr. Adams can testify right here now as to what he had to do with it, if anything.

Mr. JENKINS. Mr. Stevens, the point is this: The very fact that Mr. Adams has knowledge does not preclude you also giving your knowledge or the Senator from asking you about your knowledge.

Secretary STEVENS. That is right.

Mr. JENKINS. That is no criticism of you. It is merely a statement of fact. Now, can we leave it at that and can you this afternoon bring that information so we can pass to another point of inquiry?

Secretary STEVENS. I am not sure I could bring it this afternoon.

Mr. JENKINS. You could bring it in the morning, I imagine.

Secretary STEVENS. Mr. Jenkins, I want to cooperate with you the very best I can. I will supply any and all information that this committee wants just as quickly as I can possibly do so.

Mr. JENKINS. Mr. Chairman, that is all I care to ask the Secretary.

Senator MUNDT. I think that is a very constructive suggestion. If the Chair understands it, the Secretary is willing and desirous of expediting the securing of this information, and has agreed to talk with the Inspector General, who wrote the report, and who consequently could tell you immediately the names involved. Insofar as Mr. Adams is concerned, that should be discussed publicly because he is a party to the dispute. The other names requested by Mr. Cohn should be submitted confidentially and to counsel for our committee because we don't want to expand the circle of witnesses any more than necessary. If you will agree to do that, that will certainly save us an enormous amount of time, because it will be quite a while, of course, before you could read 500 pages of testimony. But the Inspector General who wrote it can answer your questions, probably, in the course of a 2-minute conference. He obviously would know. The Chair has no other questions.

Senator McClellan?

Senator McCLELLAN. No questions, Mr. Chairman, but I make this suggestion, that if we want to expedite these hearings, let us ask the parties directly involved in these things, and Mr. Adams is present, you can get it that quick, if you want it.

Senator MUNDT. I don't think Mr. Adams, probably, has read the full report immediately, and the names wouldn't be available to him.

Secretary STEVENS. The question is, Did it have anything to do with him? Mr. Adams is competent to testify on that point right now.

Senator McCARTHY. Mr. Chairman.

Senator MUNDT. Counsel advises the Chair that the fact that Mr. Adams can testify on this does not preclude the importance of getting the Inspector General's information.

Secretary STEVENS. I understand that.

Senator MUNDT. Senator Dirksen? Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. Senator Potter?

Senator POTTER. No questions.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. I have no questions.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. No questions.

Senator MUNDT. Mr. Cohn or Senator McCarthy.

Senator McCARTHY. Just one question on the Peress matter, before we drop it. Counsel Jenkins made, I think, an excellent suggestion. I would like to expand on that, Mr. Secretary, and see if you can get this information over the noon hour or before tomorrow morning. As you will undoubtedly recall, there was an order giving an honorable discharge to Mr. Peress. That order was signed early in January. As you undoubtedly will recall from the testimony, Mr. Peress testified that he was going to take the full 90 days, stay in as long as he could, which would let him out sometime in late March or early April, I forget which. As you recall, I wrote you the letter, which you said you got in California, asking that you take action in the Peress case, and have a court martial of him for his conduct unbecoming an officer in refusing to tell whether he was in Communist leadership schools, forming Communist cells at the Army base, holding meetings in his house, et cetera. As you will recall, before you got back to the United States, immediately after that letter was made public, Mr. Peress got an honorable discharge. Now, what I would like to have you supply to the committee: No. one, the question of whether Mr. Adams had anything to do with that sudden removal of Peress from the military, or, if not, who did. Who was the activating force in removing this man from the jurisdiction of the Army before you could return from the Far East.

I want that, if possible, from the Inspector General's report. There would be nothing classified, no security information, involved in that, would there be?

Secretary STEVENS. Well, I wouldn't think so, but I don't know positively.

Senator McCARTHY. Could you do this? Could you ask one of your aides there—you don't need them all now, I gather—to get on the phone and call someone whom you would designate and ask them to search out that information. It should not take more than 5 or 10 minutes.

Secretary STEVENS. It will take more than that, Senator, I am sorry to say.

Senator MUNDT. The Chair suggests if we follow the recommendation of counsel we would have a much better program for getting that

because he is going to ask the Inspector General who wrote the report to give him the information. That can be done much more quickly than to have anybody search a 500-page document.

Proceed with other questions.

Senator McCARTHY. I think that is a better suggestion. I understood the Secretary to say he would talk to the Inspector General; did you say this noon or tonight?

Secretary STEVENS. I didn't say, Senator. I am going to talk to him just as soon as I possibly can. How long it will take me to get the exact authorization this committee wants I cannot forecast at this moment. I just don't know. I want to supply it as quickly as I can.

Senator McCARTHY. Mr. Secretary, as soon as possible is too indefinite in your language, because "as soon as possible" has meant 4 months, 5 months, or 6 months in the past. I ask you the simple question, when will you talk to the Inspector General in accordance with Mr. Jenkins' suggestion? Can you do that this noon? If you are tied up this noon, can you do it this evening? When can you do that?

Secretary STEVENS. I think I can do it this evening.

Senator McCARTHY. So tomorrow morning you should be able to shed some light on this?

Secretary STEVENS. I can't commit myself to tomorrow morning because this is a very large job that you have given me here.

Senator McCARTHY. I merely want you to commit yourself to the time when you will ask the Inspector General for this authorization.

Senator MUNDT. He has said he would ask him this evening.

Senator McCARTHY. You will ask him this evening?

Secretary STEVENS. Yes.

Senator McCARTHY. Mr. Stevens, Mr. Cohn has some further questions to ask you.

Mr. COHN. Mr. Secretary, of the people suspended at Fort Monmouth, of the 35 people, has any one single case pending before a loyalty board been finally resolved to this date?

Secretary STEVENS. I don't think so. I don't believe—I think they must be pretty near that stage, but I haven't seen any of those cases come in.

Mr. COHN. Once again, sir, these suspensions occurred beginning on the 19th of August, 33 of the 35 occurred by the 30th of October. I believe some 9 of these people have been restored to some type of duty, although you say nonsensitive. Apparently they are still at Fort Monmouth. Thirty-three suspended by October 30. This is now the middle of May.

Don't you think a little too much time has been taken without an adjudication on any one single case?

Secretary STEVENS. Mr. Cohn, we are trying to do a good job and to give all of these people a chance to be fairly heard in the good old American way. I think that in these cases particularly where the people are suspended and can be of no possible harm to the Government, that it is better to go a little more slowly and get the right answer than it is to shove fast and maybe get the wrong answer.

Senator McCARTHY. May I interrupt, Mr. Cohn? Mr. Stevens, you said there could be no possible harm to the Government because of this long delay as long as you proceeded in the good old American way. If they are innocent—I assume some of them will be able to prove that

they are not bad security risks—you are doing a rather grave injustice to the individual, are you not?

Secretary STEVENS. How do you mean, Senator? I don't think I understand.

Senator McCARTHY. I want to remind you of this, that some of those who were suspended were called before our committee. As a result of their testimony before the committee, they apparently convinced you and they convinced me and the others sitting in the committee that these individuals had satisfactorily explained their Communist connections, and if they had been Communist inclined they had completely reformed, and they were reinstated. They were only out, some of them, a week or 2 weeks. I ask you this question: Some of those individuals have been suspended, have been out 9 or 10 months. Is that the usual time lag in handling a suspension case? Isn't there some way of speeding it up?

Secretary STEVENS. We would like to speed it up as much as we can consistent with doing justice to the individuals.

Mr. JENKINS. May I ask a question, Mr. Chairman?

Senator MUNDT. Mr. Jenkins.

Mr. JENKINS. I am not sure that I get precisely what the Senator has in mind, but if I do it seems to me—may I ask this: Am I correct in that the McCarthy committee is taking credit for getting suspensions of some 30 or 35 employees at Fort Monmouth? Is that correct, Senator?

Senator McCARTHY. Mr. Jenkins, let me answer that in this way: I am not taking credit for it. We know that they were all suspended after our investigation started.

Mr. JENKINS. Very well.

Senator McCARTHY. Some of them were suspended after they appeared before the committee, the day they appeared, some of them the day after. Whether or not they would have been suspended otherwise I don't know. There was no indication that they would be. Just one other thing, Mr. Jenkins:

The only testimony we will have on that will be Mr. Lawton, who is the commanding officer. He has testified and I understand will testify that the suspensions would not have been possible had our investigation not been conducted.

Mr. JENKINS. My point is this: Apparently the McCarthy investigating committee is taking credit for its bringing about the suspension of poor security risks numbering thirty odd at Fort Monmouth, on the one hand, and apparently now is criticizing Secretary Stevens for not reinstating those suspensions.

Senator McCARTHY. Just a minute.

Mr. JENKINS. I just want to know whether I am right about that, or not.

Senator McCARTHY. A point of order, Mr. Chairman.

Senator MUNDT. You may answer the question.

Senator McCARTHY. Mr. Jenkins, I would suggest that you listen to the questions a little more closely. I pointed out that of the 35 suspensions undoubtedly some of them might be able to prove that they were not bad security risks, and when that proof was entered obviously they would be reinstated. Your statement that I was taking credit for the suspension and criticizing him for not reinstating them is not quite fair, Mr. Jenkins. I have pointed out also that some of

the suspended individuals were called before the committee. This committee put them under oath. It did not take us 9 months to find out that the charges against them would not stand up. As a result of our hearings, not only with individuals suspended, but some of those who were suspended had the opportunity to be put under oath, to be thoroughly cross-examined, and they convinced the Secretary they should go back to work and they were put back to work.

I am criticizing, if you can call it criticism, the Secretary for waiting 9 months and doing nothing about getting a final adjudication in any of these cases. Either they are Communists, Communist sympathizers, dangerous in that work, or they can explain their background. There is no reason for this to be dragged on until after this hearing is over.

I would like to ask the Secretary: Have you told the loyalty screening board to expedite these cases or has there been an order that there be no final adjudication until after these hearings are ended?

Secretary STEVENS. There has been no such order.

Senator McCARTHY. No order to expedite?

Mr. JENKINS. Mr. Chairman, before the Secretary is asked anything further I think I have a right to ask Senator McCarthy—

Senator MUNDT. You may, and then may the Chair suggest that further interrogatories between counsel and Senator McCarthy be suspended until Senator McCarthy is testifying as a witness under oath.

Mr. JENKINS. I again ask the question: Did not Senator McCarthy in his charges criticize the Secretary for being too slow in removing subversives or in suspending subversives, and is he not now criticizing the Secretary by his very line of cross-examination for not reinstating the alleged subversives who were suspended as a result of the McCarthy investigation?

I ask that question in all fairness to the Secretary of the Army.

Senator McCARTHY. Let's repeat it now, Mr. Chairman.

Senator MUNDT. Senator McCarthy will explain the question.

Senator McCARTHY. I think it is very clear by now that we have pointed out that there were no suspensions until we started the investigation, that as of now there has been no final adjudication even though nine of them have been reinstated. I would like to know why the nine have been reinstated with no final adjudication. I would like to know why there has been no final adjudication on the others.

The criticism, if counsel will listen to this carefully, is twofold. No. 1, the failure to remove Communists, security risks, from the top-secret radar laboratory, and having removed them under pressure from this committee, the failure to take any action to finally arrive at an ultimate decision.

The commanding officer at the radar laboratory is entitled to know what the final decision in these cases is, the individuals are entitled to know, this committee is entitled to know. So it is a criticism of a twofold complete lack of interest in the case.

Senator JACKSON. Parliamentary inquiry. How many questions are before the Secretary?

Senator MUNDT. The Chair has just suggested that he thinks we should return to the procedure whereby the Senator from Wisconsin,

on his time, asked questions of the Secretary. I respectfully suggest to the counsel that he defer his questions to Senator McCarthy until Senator McCarthy is under oath and testifying as a witness.

Mr. JENKINS. Mr. Chairman, in fairness to all parties, I want to make this statement: If Senator McCarthy's question is this, whether or not nine of these suspended risks have been reinstated, and whether or not any final adjudication has been made with respect to their guilt or innocence, certainly he has a right to ask that question.

I understood he was asking a question about whether or not a final adjudication had been made with respect to those who had not been reinstated.

Senator McCARTHY. The question included all 35.

Senator MUNDT. The Senator will continue with his interrogation of the Secretary, the last one which, I think, was a double-edged question which the Secretary didn't understand.

I wish he would ask it again as to whether or not he had given an order. You asked the question as to whether or not he had given an order, No. 1, to expedite the loyalty proceedings, and, No. 2, whether or not he had given an order not to give a report until the committee concluded their hearings. If you will ask those two separately we can proceed.

Senator McCARTHY. Did you give an order to expedite the 35 cases? That includes the nine that have been reinstated.

Secretary STEVENS. No, I didn't give such an order. I wanted it to take the usual course, Mr. Senator. With respect to the nine, I wish to make it clear that the reason they were restored to nonsensitive duties was that we were unable to bring charges against them. So, pending further investigation to see whether charges could be made against these people, they were restored to nonsensitive jobs, the nine.

Senator McCARTHY. Now, how about the ones that Lawton was asked to reinstate, who he refused to reinstate, in that conversation with Mr. Adams?

Secretary STEVENS. You will have to ask Mr. Adams about that.

Senator McCARTHY. Has Mr. Adams told you about those?

Secretary STEVENS. I don't recall discussing the matter with him.

Senator McCARTHY. I think we are getting away from the other question.

Secretary STEVENS. He is here and can testify about the telephone calls.

Senator McCARTHY. We will get back to that in a minute. The Chair asked me to ask this question. Did you give an order or do you know that an order was given by anyone else in authority to hold up the final adjudication of the 35 cases until after this hearing had been completed?

Secretary STEVENS. I never gave such an order, Senator, and I don't believe anyone else did. I would like, also, if I may, to straighten out one point with respect to the element of the time. You have referred here to 10 months. Actually, most of these suspensions took place in the month of October, and if my arithmetic is correct we are talking about 6 months and not 10 months.

Senator McCARTHY. You said you didn't think such an order had been given. Had you ever heard that such an order had been given?

Secretary STEVENS. Never.

Senator McCARTHY. Mr. Stevens, the other day Mr. Cohn was questioning you in some detail about a conversation which you had with Mr. Adams while Mr. Cohn and I were present in the room. You couldn't recall that conversation, as I recall, at the time. This had to do with the request that General Lawton reinstate certain cases that had been suspended. Have you talked to Mr. Adams to refresh your recollection on that?

Secretary STEVENS. No; I haven't.

Senator McCARTHY. I will let Mr. Cohn take over the questioning.

Mr. COHN. Thank you. Mr. Secretary, was General Lawton ever given a direction not to prefer charges against these nine people?

Secretary STEVENS. Not so far as I know.

Mr. COHN. Pardon me?

Secretary STEVENS. Not as far as I know.

Mr. COHN. Well, did you ever make any inquiry about that after the testimony in this room the other day?

Secretary STEVENS. No; not after the inquiry, the questions in the room the other day. I have testified at great length about Fort Monmouth all the way through these 13 days. But if the question is: Did I have any conversation since it came up the other day, no, I did not.

Mr. COHN. Here is my point, sir. A memorandum was introduced prepared by General Lawton's aide in which General Lawton stated that Mr. Adams had told him over the phone that he thought he, Mr. Adams thought, General Lawton should reinstate certain security risks and that General Lawton refused to do this, and said, "I will not take the responsibility." After you heard that very serious charge, didn't you take that matter up with Mr. Adams?

Secretary STEVENS. I may have discussed it with him. I thought you were talking about testimony last Friday. But I haven't had any lengthy discussion with Mr. Adams about it. I am unfamiliar with what was said on the phone, and I think it seems to me that as long as it was Adams talking to Lawton on the phone, those are the two men that ought to testify to bring out the facts. I don't know what they are.

Senator MUNDT. Mr. Cohn's time has expired. Any questions, Counsel?

Mr. JENKINS. I pass, Mr. Chairman.

Senator MUNDT. The Chair passes. Senator McClellan?

Senator McCLELLAN. Pass.

Senator MUNDT. Any Senators to my right? Any Senators to my left? Mr. Welch?

Mr. WELCH. No questions.

Senator MUNDT. Mr. Cohn may continue.

Mr. COHN. Mr. Secretary, Mr. Adams is your legal counsel, is that right, sir?

Secretary STEVENS. That is right.

Mr. COHN. Would not an instruction by him to a commanding general in one of the most sensitive radar bases in the country to reinstate security risks, wouldn't that be a serious matter, sir?

Secretary STEVENS. I recall no conversation with Mr. Adams about that point, but he can testify on it as to what he knows about it. I don't know about it myself.

Mr. COHN. My question to you was after you saw produced here by Mr. Jenkins a written memorandum dictated by General Lawton

making the charge that Mr. Adams had telephoned him in November and asked General Lawton to reinstate security risks and that General Lawton had refused and said "Let the Secretary take the responsibility," have you not inquired of Mr. Adams concerning that conversation?

Secretary STEVENS. I don't think I have had any particular discussion with Mr. Adams about it. I think it will be an important point in Mr. Adams' testimony.

Mr. COHN. Sir, it might be a very important point, we suggest, in your testimony.

Secretary STEVENS. All right. Suppose, then, that I talk with Mr. Adams during the noon hour? I will be glad to do it.

Mr. COHN. We would very much appreciate it if we could get an answer to that question. I wish you would also talk with him, sir, as to whether or not these nine people have been restored to duty despite derogatory information of Communist activities as a result of any instruction given by anyone in your office to General Lawton.

Secretary STEVENS. Well, I will try to find that out.

Mr. COHN. Very well, sir.

Mr. Secretary, as we were concluding on Friday, I was asking you about these monitored telephone conversations and I believe we were interrupted just at the point where you told the committee that you did monitor conversations between yourself and Members of Congress, but not between yourself and people over at the White House. I think you said the reason was that people in the Congress might want information and things of that matter. Is that correct?

Secretary STEVENS. I think that is what I said, yes.

Mr. COHN. Well, would it not be equally true, sir, that people on the White House staff would want just the same type of information, and that the reasoning would apply to them just as well as Members of Congress?

Secretary STEVENS. No, I don't think it is quite the same.

Mr. COHN. Could you tell us what the difference would be, sir?

Mr. JENKINS. Mr. Chairman, that is purely a question of argument and not relevant. He said that he did not monitor telephone calls to the White House. All of this, I think, is purely repetitious, and has been gone over many, many times. I hope Mr. Cohn will pass to another subject of the inquiry.

Mr. COHN. Mr. Jenkins, you might remember—I will try to, but you might remember I was interrogated in executive session concerning the exact extent—

Senator MUNDT. The Chair upholds the point of order and suggests that the question be put to the Secretary as to which calls are monitored and which calls are not monitored, as being appropriate, but it is not appropriate to ask him for his reasons as to why he might monitor something.

Mr. COHN. Might that not, Mr. Chairman, have a bearing on the hearing here, if there was a failure to monitor certain calls?

Senator MUNDT. I don't think it would, unless you would bring that out by questioning.

Senator McCARTHY. I believe, Mr. Chairman, it might have some bearing on the question of whether or not the monitored calls will be received in evidence. One of the important matters to determine is whether or not all calls in regard to this matter were monitored.

Senator MUNDT. The Chair has held that you have a right to interrogate the Secretary as to which calls were monitored and which were not, so that the whole committee can know exactly how extensive was the monitoring which took place. I don't think it is legitimate to ask him his reasons for that.

Mr. COHN. Mr. Stevens, are there any other exceptions which you care to make at this time?

Secretary STEVENS. No; I think I have testified at that at complete length. The whole process has been described in the record not once, but I think at least twice.

Mr. COHN. Yes, and we have had different testimony, I might suggest, sir.

Secretary STEVENS. The meat of it is that telephone conversations were monitored with the exception of family calls and calls of close personal friends.

Mr. COHN. And the White House, sir?

Secretary STEVENS. And the White House.

Mr. COHN. Yes, sir. Was this monitoring without the consent of the party at the other end, in violation of the letter or the spirit of a Defense Department directive by which you were bound?

Mr. WELCH. Objection. It calls for a conclusion of law.

Senator MUNDT. Have you a point of order?

Mr. WELCH. Yes. The question calls for a conclusion of law.

Mr. COHN. I don't think it was.

Senator MUNDT. The Chair's attention was diverted by the two Senators leaving. What was the question?

Mr. WELCH. If Mr. Jenkins will hear the question——

Mr. JENKINS. I heard it. The question was whether or not, as I recall, the monitoring of these telephone calls as described by the Secretary, was violative either directly or indirectly, or in letter in spirit of a directive prohibiting the monitoring of calls. Is that correct?

Mr. COHN. Exactly correct, and I have the directive in my hand.

Mr. JENKINS. Mr. Chairman; I do not think that calls for a question of law, Mr. Welch, a directive. If he had asked him whether or not it was a violation of a law or statute, certainly you would be correct, but the Secretary knows the import and the contention of a directive.

Mr. WELCH. Also it involves the Federal Communications Act. It is a matter of law what can or cannot be done about putting monitored calls——

Mr. JENKINS. That was not the question. You and I have been trying to decide that question many, many days, as to whether or not it violates the Federal Communications Act, but the question to the Secretary was whether or not it violated a directive, that is, the monitoring of calls.

Mr. WELCH. Once again, isn't that a matter of construction of a written document which is for the committee rather than for the witness?

Mr. JENKINS. I think, Mr. Welch, the Secretary of the Army would know the spirit and the meaning of a directive. I am sure of that. I think it is a proper question, Mr. Chairman.

Senator MUNDT. Counsel holds that the question is proper. The Chair not having heard the question certainly will accept the advice of counsel and rule that it is pertinent.

Secretary STEVENS. As far as I know, it is a violation of nothing. If it were, I wouldn't be doing it.

Mr. COHN. Your testimony, Mr. Stevens, is that you know of no Defense Department directive stating in spirit certainly that there shall be no recording of a conversation without the consent of the other party to the conversation?

Secretary STEVENS. Did you say spirit only?

Mr. COHN. Sir, I would like you to look at the directive and tell me whether, after reading this directive, you think you are obeying or disobeying the direction of the Secretary of Defense in having an eavesdropper on the line without notifying the party at the other end.

Secretary STEVENS. Mr. Cohn, if there was any directive of that kind and it were known to me. I would certainly never do anything in the way of disobeying a directive. I am quite certain that there is no such directive out.

(Document handed to Secretary Stevens.)

Mr. WELCH. May I suggest we go ahead with the questions?

Secretary STEVENS. This memorandum, the title of it is: "Use of Telephone Recording Devices."

Mr. COHN. Yes, sir.

Secretary STEVENS. I used no telephone recording devices.

Mr. COHN. Mr. Stevens, my question was the spirit of this directive, and I direct your attention to the last paragraph of the directive, a sentence which is underscored—I am sorry, the last paragraph of the first page, Mr. St. Clair—a sentence which is underscored in this directive by the Secretary of Defense. I ask you to tell us whether or not that does not mean to anybody reading plain English that—

Mr. JENKINS. Mr. Chairman, the question now is whether or not the monitoring of these calls violates the spirit of a directive. Apparently the Secretary now is asked to enter the spiritual realm, which I don't think he ought to be required to do. I held against Mr. Welch a little while ago that I thought Mr. Cohn was entitled to ask him whether or not it was violative of a directive—

Mr. COHN. I will let the question stand that way.

Mr. JENKINS. I don't think the Secretary ought to be called upon to construe a thing spiritually. I now reverse—I now hold that the question as stated is improper.

Senator McCLELLAN. Mr. Chairman, it is now past 12:30 and you have an executive meeting for 1:30. I suggest that the Secretary be given an opportunity to study the document before we resume. I move that we recess until 2:30.

Senator MUNDT. We will recess until 2:30.

At 1:30 an executive committee meeting will be held in room 357. The Chair calls attention to the fact that Mr. Welch, Mr. Stevens, Mr. Hensel, and Senator McCarthy are invited to be present.

(Whereupon, at 12:35 p. m., the hearing was recessed until 2:30 p. m. the same day.)

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SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING
BEFORE THE
SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE
EIGHTY-THIRD CONGRESS
SECOND SESSION

PURSUANT TO

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ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE
HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN,
AND FRANCIS P. CARR

MONDAY, MAY 10, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

AFTER RECESS

(Whereupon, the committee reconvened at 2:50 p. m. pursuant to recess.)

Present: Senators Karl E. Mundt, Republican, South Dakota, chairman; Everett McKinley Dirksen, Republican, Illinois; Charles E. Potter, Republican, Michigan; Henry C. Dworshak, Republican, Idaho; John L. McClellan, Democrat, Arkansas; Henry M. Jackson, Democrat, Washington; and Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator MUNDT. The committee will please come to order.

We are late in starting because the executive session has just concluded, and we had to wait a little while for the reporter to type out a new version of a new motion which Senator Dirksen has advised the Chair he would like to discuss at this time. The Chair will recognize Senator Dirksen.

Senator McCARTHY. Would you yield for just 10 seconds?

I would like to suggest to the committee the name of the man who has come up here today, it is a very important day in his life, he is celebrating his 30th anniversary as head of the FBI. I think he has done an outstanding job. I wonder if it would not be in order for the committee as a committee to express their admiration and congratulations to this greatest of Americans, J. Edgar Hoover, if we could do that as a committee.

Senator MUNDT. Without objection, all the members of the committee will join in expressing their appreciation and approval of the great American, whom we all admire, J. Edgar Hoover.

Senator McCARTHY. Could this be transmitted to the Director of the FBI by counsel?

Senator MUNDT. I am sure he is following the newspapers. I am sure he will get it. I am sure Mr. Welch, as counsel for the Army, wishes to join in the solicitation.

Mr. BRYAN. May I join also?

Senator MUNDT. You certainly may. Up until now we are still proceeding unanimously.

Senator DIRKSEN?

Senator DIRKSEN. Mr. Chairman, I am sensible to the fact that since I made a suggestion this morning, that some new suggestions and new ideas have occurred, which have been incorporated in the draft that is before the members of the committee at the present time. I thought perhaps under the circumstances that if we could make an arrangement whereby it is definite that tomorrow morning, as the first order of business in the committee session, this can be offered as a formal motion, and that we can get a vote on it, assuming that I can get a second for the motion, and I trust one of the members of the committee will do me the honor of agreeing to second this tomorrow morning.

Senator DWORSHAK. Mr. Chairman, I propose to second this motion.

Senator MUNDT. The Chair will state that he has followed the rule continuously, that any time a Senator makes a motion which is seconded, he certainly will not decline to put it after there has been adequate opportunity to discuss it.

Senator JACKSON. Should not the motion that is being seconded be read?

Senator MUNDT. He is not making it. He has said he will make the motion tomorrow morning, and inquired if the Chair would recognize him for that purpose, and I said "Yes."

Senator DIRKSEN. For public information, Mr. Chairman, I think that it should be read so that all parties in interest and everyone else is fully advised of the text that is proposed. It reads as follows, and this will be a motion that will be made as the first order of business tomorrow morning for a formal vote by the committee in public session:

I move that the testimony of Secretary Stevens be concluded on the adoption of this motion; that Senator McCarthy be then called for testimony and for direct and cross-examination; that on the conclusion of Senator McCarthy's testimony the public hearings be recessed; that committee counsel be instructed to survey the charges and the testimony, and interview all witnesses suggested by any party concerned as well as any other witnesses whom the chairman or counsel deems necessary and then report a résumé of the statements of all witnesses and any other facts brought to the attention of counsel to the subcommittee, which subcommittee shall then determine whether further public hearings are necessary; that at the conclusion of the testimony by Senator McCarthy, the regular subcommittee shall resume its normal functions under the rules of the Senate with respect to any matters not related to the pending controversy; and that subcommittee counsel conclude his survey and make his report to the subcommittee not later than June 10, 1954.

I doubt whether this needs any elaboration on my part, Mr. Chairman. It is done in the interest of expedition and I think the public

well-being, and I sincerely hope that when this matter is considered tomorrow morning, formally, as a motion, that it will prevail.

Senator MUNDT. Do any of the other committee members want to be heard before we proceed with the order of the witnesses?

Senator McCLELLAN. Mr. Chairman, I think it only fair to advise the Chair and others who may be interested, that I shall oppose this motion. I shall offer a substitute. This motion I am not yet prepared to substitute, but since this shall be offered in the morning, I shall have the substitute ready at that time. This motion, said by its author and those who may support it, is designed to shorten these hearings. In my opinion, it will have just the opposite effect. It will delay and prolong the hearings indefinitely, and I shall oppose it primarily upon the ground, in addition to that, that it denies the rights of principals to this controversy, some who are accused, of having the opportunity to testify in open and public hearings, and refute the charges made against them. It also denies them the opportunity to appear and support, by testimony, the charges they have made against others.

Mr. Chairman, this motion will not expedite; it will only confuse and further delay a determination of vital issues before this country, and I repeat again, there are no more serious charges, there are no charges pending against Communists in any segment of this Government, that are more important to the security of this country than the charges now pending against the Secretary of the Army that he is coddling Communists, and that he is attempting blackmail in order to cause legitimate hearings of a regular committee of the United States Senate to be suspended, and charges that he is holding as hostage a private in the Army in order to compel this discontinuing of the investigation of Communists and subversiveness in Government.

Mr. Chairman, if these charges are true, there is no more important work for this or any other committee to do in the Congress than to find out the truth of these charges so that appropriate action may be immediately taken.

Senator MUNDT. Does the Senator care at this time to discuss the general outline of the substitute motion so that we could have all the information before us for study, and so counsel for the various disputants can also be thinking about it between now and tomorrow morning? I mean in a general way.

Senator McCLELLAN. Yes. I will read it here, leaving out the time. It is very simple. I shall reword it and will probably revise it some.

Senator MUNDT. Surely.

Senator McCLELLAN. This will be in substance the substitute motion:

That after each of the principals to this controversy as witnesses have testified in chief, that each Senator have—

and this is subject to change—

1 hour (six 10-minute periods) for interrogation of the witness, and that each principal side or their attorney have 4 hours each for questioning said principal and witness. When all such time has expired, the witness shall then be excused.

Senator MUNDT. Have you concluded, Senator McClellan?

Senator Jackson?

Senator JACKSON. Mr. Chairman—

Senator McCLELLAN. I may say, Mr. Chairman, this does not affect the present rule that chief counsel shall continue to question.

Senator MUNDT. Without time limitation?

Senator McCLELLAN. Without time limitation, and in his discretion.

Senator MUNDT. Senator Jackson?

Senator JACKSON. Mr. Chairman, I merely want to make a brief observation at this time, because I do believe that it is most important that comment be made so that all of us can have an opportunity to think this matter over carefully when we meet tomorrow morning to vote on the motion by the distinguished Senator from Illinois and my distinguished colleague from Arkansas's substitute motion.

I think that any change that is to be made in the rules should have as its obvious objective simple justice and fair play to all principals to this controversy.

I think it is understandable to the man in the street that when charges have been made in public against people, those individuals have the right to reply in public. The right to face the accuser face to face is elementary justice in this country and from our British forbears for generations. I do not believe that we can substitute that objective by providing an alternate means whereby that alleged objective will be achieved over a typewriter interviewing witness.

In the motion mention is made about interviewing witnesses. All I can say is that the witnesses principals to this controversy have already been interviewed. I take it that the motion ought to be reworded to provide for the reinterview of witnesses.

I sincerely believe that the substitute motion offered by Senator McClellan goes to the heart of this problem, and that is to cut down on unnecessary time on irrelevant issues.

Let us not cut down the principals to this controversy who have asked the right to be heard. The right to a fair hearing is something that I think we all understand is an indispensable part of any kind of rules of fair play.

Senator MUNDT. Is there any other Senator who desires to be heard on the subject matter before us before we proceed with the interviewing of the witness?

Senator SYMINGTON. Mr. Chairman.

Senator MUNDT. Senator Symington.

Senator SYMINGTON. I have a very short comment to make.

First, to me the logic and the reasoning behind the substitute amendment of the distinguished senior Senator from Arkansas is unanswerable. Senator Jackson said that every public servant has the right to answer any charges made against him. Every principal in this case happens to be in public service.

I would like to add one simple thought to that, to anybody who expects to be of any use in the service of their country in the future: He not only has the right; he has the duty.

Senator MUNDT. Does any other Senator desire to be heard?

The Chair feels that he should not call on the principals or their counsel at this time to express themselves, but he will do so tomorrow morning before any votes are taken. In fairness to Mr. Stevens, for example, he has not seen this motion until he came to the committee room. He was not at the meeting. Neither was Mr. Hensel. None of the principals I am sure have heard the substitute motion made

which Senator McClellan offered for the first time here today. However, he will listen to any other members of the committee if they wish to express themselves on this point. Senator Potter?

Senator POTTER. I think Senator Dirksen is wise in postponing action on this resolution until tomorrow to give all principals, particularly Secretary Stevens, and members of his team, an opportunity to look over the resolution, and also the substitute resolution offered by Senator McClellan. There is no easy solution to this problem. This is the 13th day, and the first witness is still on the stand.

I can well appreciate the pressure that the Secretary of the Army, Mr. Stevens, has been under during this 13-day period. If it takes 13 days for Mr. Stevens, and he is still on the stand, I cannot see where Mr. Adams or Senator McCarthy or Mr. Cohn or Mr. Carr would be expected to get off the stand in any less time than 13 days. So my simple arithmetic projects this into a hearing of more than an additional month.

I am convinced there is a great deal of repetition in the hearing, and I hope it can be eliminated. I am fearful that with other witnesses presented by either side there will be constant repetition of the testimony which has been given before. I do think, however, that all new facts must be brought out in this case. Therefore, I hope that whatever device we use to expedite and speed up the hearings will in no way affect the full and impartial fairness of the hearing.

If anybody has any panaceas for bringing this about, I know as one member of the committee I would be most happy to receive their comments.

Senator MUNDT. Senator Dirksen, do you have anything to say?
Senator Dworshak?

Secretary STEVENS. May I make a brief statement, Mr. Chairman?

Senator MUNDT. The Chair believes, Mr. Secretary, that if we engage the principals in this discussion now we may protract this for some time because obviously if I recognized you for that purpose—and I will if you insist—I will have to recognize Senator McCarthy and Mr. Bryan. It would be the hope of the Chair that all principals and all counsel would make no precipitate judgment at this time on either of these suggestions, in the hope that during the opportunity accorded you throughout the evening you could consult with your counsel, perhaps consult under the leadership of our counsel with each other, in an effort to determine whether either of these suggestions or a modification of them or a combination of them in some way could work in the interest of expediting the hearings. The Chair very much fears that if principals in this dispute or their counsel make a precipitate judgment now, all of this labor will have gone for nought because you may be committed before you have an opportunity to consult fully with the various entities involved.

Having said that, if the Secretary insists on being heard, of course the Chair will recognize him.

Senator SYMINGTON. Mr. Chairman, may I make a point? I believe that it is important that Senator McCarthy give his position, that Mr. Welch give his position, and that anybody give their positions, because there is another person here and that is public opinion, as to whether these hearings should be limited to a few people or whether the time that people can be asked questions should be limited

and we should hear all the principals involved. After being on the stand for 13 days, the Secretary, or Senator McCarthy, or anybody else involved in these hearings, wants to make a statement prior to this motion being submitted for final passage tomorrow, I respectfully state, Mr. Chairman, that I think he should have that right at this time.

Senator MUNDT. The Chair has said that he proposes to begin the discussion tomorrow morning by giving all principals and their counsel an opportunity, after having matured judgment formed on the basis of studying the various proposals, to arrive at a conclusion, and he asked further—

Senator SYMINGTON. I would be very much interested in the position of the Army, for example, as to help form my conclusions.

Senator MUNDT. He has done that, and he has said that if any of the principals now insist on discussing these determinations without having an opportunity to consider them carefully, of course he will grant them the courtesy of the floor and if he grants it to one, he will grant it to all. He is simply trying, in trying to arrive at a conclusion, to suggest that before any enunciation of decision on this, they have at least an opportunity to read the Dirksen proposal carefully and to see the McClellan proposal in writing. Having said that, if there are people who want to be heard outside the committee, to address the chairman, of course he will let them.

Secretary STEVENS. I would like to be heard, sir, if I may. It is a very brief statement, but I want the position of the Army to be unmistakably clear. Mr. Welch stated that position this morning and I reaffirm it this afternoon. I have testified on this stand before and I now testify again, that I think every witness who has a place in this hearing should be brought here and should testify, and should get all the facts on this table. This committee undertook this series of hearings. It was your own decision. You made the rules. One of the rules certainly had to do with the fact that they were going to be public hearings. You later said that they would be televised. I see no reason to change the rules at this time unless there is a means by which some real expediting of the hearings can be carried on. I would just like, speaking for the Army, to say that we have appeared here in the best of faith to try to get all these facts in front of this committee, and we are satisfied to continue that process no matter how long it takes.

Senator MUNDT. Do any of the other principals now want to be heard? If not, we will proceed with the interrogations.

Senator MCCARTHY. Mr. Chairman, I would make one suggestion, that perhaps if we had a rule that there be no more speeches about expediting the hearings, that that might expedite them more than anything else.

Senator MUNDT. The Chair is rapidly approaching the point where he can concur with that observation. But hope does spring eternal in the human breast. We will begin in the morning, then, with the consideration of motions which may be made or not made; if they are made, we will consider them, on the general subject of expediting the hearing. The Chair's position remains unchanged. He thinks these hearings should be expedited, he thinks that the world has some tremendous challenges confronting it, and so does our country, to which

he believes both the Senators and the people representing the Army might better be devoting their attention.

He believes, however, that no system for shortening the hearings should be superimposed upon the disputants so long as the entities involved claim that so doing would be unfair or unjust to them. So, unless we can have a meeting of minds, I presume we will have a long continuation of testimony. I think that at the conclusion of our meeting this morning, Mr. Cohn, you had 5 minutes remaining. We will start with you, therefore.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY

Senator McCARTHY. Mr. Stevens, we discussed with you, did we not, the necessity of checking into the Communist infiltration in Army intelligence; is that correct? In other words, before you issued these charges on Mr. Cohn, Mr. Carr, and myself, we discussed with you the fact that it might be extremely important for us to do it, if you would not do it, that is, to go into the question of Communist infiltration of Army intelligence?

Secretary STEVENS. Well, that is under constant study, Senator.

Senator McCARTHY. Did you hear my question, Mr. Secretary? The question is did I discuss with you what I considered as the necessity of our committee investigating Communist infiltration of Army intelligence, if you, yourself, or your subordinates, did not do that job?

Secretary STEVENS. I do not recall that, Senator.

Senator McCARTHY. Of course, you have a great interest in any Communist infiltration, have you not?

Secretary STEVENS. I certainly have.

Senator McCARTHY. Are you aware, Mr. Secretary, of a report issued under the chairmanship of Mr. Ray J. Madden, chairman of the House committee? Mr. Madden, incidently, was the Democrat chairman of the committee. This was in 1952. Are you aware of that report in regard to Communist infiltration of Army intelligence?

Secretary STEVENS. I don't think that I am, Senator.

Senator McCARTHY. How long have you been in office now?

Secretary STEVENS. Since February 4, 1952. 1953.

Senator McCARTHY. That is about a year and a half?

Secretary STEVENS. About a year and a quarter.

Senator McCARTHY. About a year and a quarter.

Do you think it rather unusual that you have never learned of this report by the House committee in regard to Communist infiltration? Let's put it this way, just so you won't be deceived.

The report is not labeled a report on Army intelligence, it is labeled "The Katyn Forest Massacre." In this report they go into the question of Communist infiltration—apparently somebody thinks this is funny.

Senator MUNDT. Perhaps the Chair was derelict this noon and had other matters on his mind. He forgot to make his opening speech to the audience. May I do it now?

May I announce to the audience that we have a standing rule in the committee that there will be no audible manifestations of approval or

disapproval of any kind, of any type, and that the officers have a standing rule to politely escort from the room anybody entering it and violating the conditions under which he came. I will not ask the officers to eject the people who interrupted the hearing at that time, because the Chair did not repeat that warning at the beginning of the meeting. It has now been repeated and I will ask the officers to enforce it firmly.

Senator McCarthy may continue.

Senator McCARTHY. Mr. Stevens, we have a sizable number of people here in the audience. Ninety-nine percent of them have been very orderly and realize they are the guests of the committee. They followed Senator Mundt's suggestion. When I asked you about Communist infiltration in the Army, I heard a loud guffaw back in the room. Apparently somebody thinks it is funny. Do you think there is anything funny about Communist infiltration in our Government?

Secretary STEVENS. No, sir; I certainly would not.

Senator McCARTHY. I am sure you wouldn't.

Mr. Secretary, is it your testimony that you never heard of this report put out under the chairmanship of Congressman Madden which makes recommendations insofar as Communist infiltration is concerned, Communist in G-2, Army Intelligence?

Secretary STEVENS. When was it put out?

Senator McCARTHY. The date of this, Mr. Chairman, or Mr. Secretary, was 1952. The exact date, December 22, 1952. That will be several months before you took over.

Secretary STEVENS. No, sir; I am not familiar with that report.

Senator McCARTHY. Do you know if anyone in your Department has gone into the matters suggested in this report?

Secretary STEVENS. I do not know that of my own firsthand knowledge, but I would be pretty sure they have.

Senator McCARTHY. Could I read you from this report? I read this to you in connection with the conversations you and I have had with regard to the investigation of G-2:

More amazing to this committee is testimony—

I am reading from page 8—

More amazing to this committee is testimony of three high-ranking American Army officers who were stationed in Army Intelligence during General Bissell's command of this agency.

That, I believe, was 1944 and 1945.

Testifying in executive session, all three agreed there was a pool of pro-Soviet civilian employees and some military and Army Intelligence who found explanations for almost everything that the Soviet Union did. These same witnesses told of tremendous efforts exerted by this group to suppress anti-Soviet reports. The committee likewise heard testimony that top-ranking Army officers who were too critical of the Soviets were bypassed in Army Intelligence.

Have you ever made any attempt to see whether or not those individuals are still there or whether they have been removed?

Secretary STEVENS. Was that, did you say, in 1944 and 1945, Senator McCarthy?

Senator McCARTHY. This report was issued in 1952.

Secretary STEVENS. But what period are they talking about?

Senator McCARTHY. This is referring to General Bissell's command. As I recall, General Bissell was in command of G-2 in 1944 and

1945. I may be mistaken. You can ask one of your aides back there what years he was in command, if you like.

You understand, Mr. Secretary, I am not blaming you for what General Bissell did. You were not here. But I am asking you whether or not—let me finish. In view of the fact that this report was made in 1952 about 2 months before you took over, let me ask you whether you instituted any proceedings, any step, either after this report or after my conversation with you, to find out who the three Army officers were and call them in to get their testimony, and then try to remove those Communists if they were still there? Did you do anything at all?

Mr. WELCH. Objection.

Senator MUNDT. On what basis?

Mr. WELCH. These inquiries are directed to officers in 1944 and 1945, embodied in a report years later, it is true, but before the Secretary took office. How can it be material what went on in 1944 or 1945 in this hearing?

Senator McCARTHY. Mr. Chairman, I will tell Mr. Welch why it is material.

Senator MUNDT. The Senator's time has expired. The Chair will rule, however, on the objection that if the question goes to the point of whether or not officers alleged to have been soft toward communism in 1944 and 1945 are there now, and whether the Secretary has determined to find out whether or not they are there now, it would be a pertinent question. However, the Senator's time has expired, so he will have to rephrase it on his own time.

Mr. Jenkins?

Mr. JENKINS. I pass.

Senator MUNDT. I pass. Senator McClellan?

Senator McCLELLAN. Pass.

Senator MUNDT. Senators to my right? Senators to my left?

Senator SYMINGTON. I have one question.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. Where were you in 1944, Mr. Secretary?

Secretary STEVENS. I was in the office of the Quartermaster General, Senator.

Senator SYMINGTON. You were in the Army?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. What was your rank?

Secretary STEVENS. My rank was colonel.

Senator SYMINGTON. Where were you in 1945?

Secretary STEVENS. I was in the office of the Quartermaster General, except for a brief tour in the European theater.

Senator SYMINGTON. When did you leave the Army before you came back as Secretary?

Secretary STEVENS. I left the Army in September, I think it was, 1945.

Senator SYMINGTON. No further questions.

Senator MUNDT. Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. I believe you passed, Mr. Welch?

Mr. WELCH. Yes.

Senator MUNDT. Mr. Cohn or Senator McCarthy?

Senator McCARTHY. Mr. Secretary, I gathered from Senator Symington's questions that he apparently feels that since you were not in Army intelligence in 1944 and 1945, that perhaps you might not be responsible for what is going on today. I suggest that Senator Symington listen a little more closely and follow the question.

Senator SYMINGTON. I suggest, Senator McCarthy, that you handle your questioning of the witness and I will handle mine.

Senator MUNDT. The Chair believes, Senator McCarthy, that you should not comment on the questions offered by other members of the committee, but limit your interrogatories to the Secretary.

Senator McCARTHY. Mr. Secretary, you understand that we are not talking about what you might have done in 1944 and 1945. We are discussing what you might have done after you became Secretary of the Army. You understand that?

Secretary STEVENS. Yes, sir.

Senator McCARTHY. I am sure that you and I will agree that if there were Communists in high positions in Army Intelligence in 1944 and 1945, that they just would not fold up their tents and of their own free will steal away and leave that very important position. We would agree on that, would we not?

Secretary STEVENS. Yes, Senator, but in 1944 and 1945 we had allies, didn't we, in the form of the Soviets?

Senator McCARTHY. I am not talking about the justification for having them in there in 1945. I think it is wrong, but I am asking you this question: You agree with me, I assume, that if this report is correct that there were Communists who had infiltrated G-2 and were in key positions in 1945, that the odds are that they are still there unless someone has removed them. My question was to the point of whether or not, since you have taken over, whether you took any steps to remove them.

Secretary STEVENS. I would say the odds are they are definitely not there.

Senator McCARTHY. What do you base that on, Mr. Secretary?

Secretary STEVENS. I just think there is a continuing process going on all the time in G-2 of investigation and recheck, and I think if there were Communists in there—I don't know, it would have to be proved on that one—if there were I doubt very much if they are there now.

Senator McCARTHY. General Partridge, the head of G-2, I assume would be charged with the responsibility of removing Communists?

Secretary STEVENS. Any head of G-2 whether it is Partridge or Bolling or anyone else.

Senator McCARTHY. General Partridge, while he was head of G-2 under your command, had the responsibility of removing Communists. Is that correct?

Secretary STEVENS. Surely.

Senator McCARTHY. And did you remove him because you found that he was completely incompetent?

Secretary STEVENS. I did not.

Senator McCARTHY. Did you tell me, Mr. Secretary, that you did not want us to call him before the committee, that you intended to remove him because you felt he was incompetent in the job he was holding?

Secretary STEVENS. We covered all this in previous testimony, Senator McCarthy, but I will be glad to do it again if you want me to.

Senator McCARTHY. You can say "Yes" or "No" and we will cover it quickly.

Secretary STEVENS. We have covered it before.

Mr. JENKINS. Mr. Chairman, I am quite sure the Secretary is correct. That has been covered thoroughly before and apparently has been worn threadbare. I object to any further questioning with respect to General Partridge's competence or incompetence.

Senator MUNDT. If the questions have been covered, the Chair thinks they should not be repeated. Have you asked those questions before?

Senator McCARTHY. Mr. Chairman, there is nothing worn threadbare if we are talking about Communists running our intelligence. If we can waste time on speeches for an hour this morning and an hour this afternoon, telling how different Senators feel about expediting the hearings, then I can have 2 minutes, I think, in asking the Secretary about the removal of the man who now claims to have removed the Communists. The Secretary has just now told me that he feels the Communists were removed, and I want to question him as to what type of an individual was in charge of the removing of them.

Secretary STEVENS. Are you suggesting that General Partridge was a Communist?

Senator McCARTHY. I certainly am not. Will you now answer my question?

Mr. JENKINS. Mr. Chairman, I say again that on yesterday and last week, the Secretary was examined very closely with respect to the qualifications of General Partridge. I heartily agree with the Secretary on that and I think it is an unnecessary waste of this committee's time to repeat those questions with respect to General Partridge. I suggest that Senator McCarthy be required to pass on to some new subject.

Senator McCARTHY. Mr. Secretary, since you have been in office, have there been any security risks, suspended from G-2?

Secretary STEVENS. I would have to check that up, Senator, and get the facts for you.

Senator McCARTHY. Do you know of any at this time?

Secretary STEVENS. I don't have it in my head; no, sir.

Senator McCARTHY. In other words, at this time, you are not aware of a single security risk who was suspended from G-2?

Secretary STEVENS. Senator McCarthy, I can't carry all the facts about every part of this great Army spread all over the world in my head. There are just thousands of things that I don't know about. I can get you the information.

Senator McCARTHY. I realize, Mr. Secretary, that you, of course, have a very selective memory, so we will go on to something else.

On page 14 the report states:

The United States Congress should investigate the wartime and postwar operations of Army Intelligence and the Counter Intelligence Agency. It was pointed out to our committee in executive session that quite a number of employees in G-2 who were suspected of Communist or left-wing sympathies were transferred to CIA.

Did anyone ever bring this to your attention?

Secretary STEVENS. I said I was not familiar with the reports, Senator McCarthy, for the third time.

Senator McCARTHY. Mr. Secretary, didn't I call this report to your attention and urge you that action be taken?

Secretary STEVENS. I do not recall any such thing.

Senator McCARTHY. Do you recall that I ever discussed with you the necessity of your taking action in G-2? Just to refresh your recollection, didn't I tell you that if we started to check into G-2 there would be the usual hassle about what was security information and what was not, and that I thought that your Department, and I thought you were anti-Communist, and I thought you could assign somebody to do that. Don't you recall that?

Secretary STEVENS. I do not.

Senator McCARTHY. In any event—let me ask you this: The other day you said that you had asked the FBI to make the investigation at Fort Monmouth. Now, am I correct in this, that that is not the usual function of the FBI, that the unit which should do that would be the Army Intelligence? I am curious to know whether you didn't have confidence in your own intelligence agency or why you bypassed Army Intelligence and asked the FBI to do it? May I say I think it is a good idea to ask the FBI to do it, if you followed their recommendations.

Mr. JENKINS. May I ask a question of the Secretary before you answer that?

Mr. Secretary, did you or not say the other day that you had asked the FBI to investigate Fort Monmouth?

Secretary STEVENS. I did.

Mr. JENKINS. You did?

Secretary STEVENS. Yes, sir.

Senator MUNDT. The reporter will kindly read the question so the interruption will not confuse the Secretary as to what the question was.

(The reporter read from his notes as requested.)

Secretary STEVENS. That is a long and complicated question, Mr. Chairman. I will try to answer it the best I can.

We certainly did not bypass the Army Intelligence. They were in it fully and completely at all times. We have a very close working arrangement with the FBI, as I pointed out before. We have a full-time representative in our G-2 Intelligence Division of the FBI, and we utilize their facilities and they utilize ours. There is a close working relationship. And when we invited the FBI on the 10th of April 1953, to make this investigation, it was not bypassing our own people at all, it was simply supplementing and making sure that the proper kind of a job was done so far as we were able to do it, using all means.

Senator McCARTHY. Mr. Stevens, you said you did not recall my discussing with you the necessity of an investigation of Army Intelligence from the standpoint of determining whether or not there had been Communist infiltration. To refresh your recollection, did I not on September 28, last year, give you the name of a major and told you that he could give you great detailed information about current Communist infiltration? Did you not then, at my suggestion, call that major? Did you not spend about 2 hours with him discussing Communist infiltration of Army Intelligence?

Secretary STEVENS. Not Army Intelligence any more than infiltration anywhere in the Army.

Senator McCARTHY. Do you recall the Major's name? I am not asking for the name now, but do you recall the name?

Secretary STEVENS. No, but I am sure I could look it up.

Senator McCARTHY. I will pass it back to you. I would just as soon that this not be made public unless the Chair so orders.

Just to refresh your recollection—will you put that in your pocket or tear it up, Mr. Secretary?

Secretary STEVENS. O. K.

Senator McCARTHY. Now that you see that—

Secretary STEVENS. That is right.

Senator McCARTHY. After discussing Communist infiltration in Army Intelligence, I suggested to you that you see that particular major?

Secretary STEVENS. I remember your suggesting this particular fellow, yes. I don't remember all the other words that you used about this.

Senator McCARTHY. You did see him?

Secretary STEVENS. I did.

Senator McCARTHY. You spent about 2 hours with him?

Secretary STEVENS. No, not that long.

Senator McCARTHY. How long?

Secretary STEVENS. I should think, just as a guess—it is hard to remember—I think maybe about 40 minutes, something like that.

Senator McCARTHY. Forty minutes. Now that your memory is refreshed, do you recall that I gave you his name during the course of a conversation which we had in regard to Communist infiltration of Army Intelligence, at which time I suggested that you conduct the investigation and relieve us of that burden, and that I told you we couldn't investigate everything?

Secretary STEVENS. I do not recall that.

Senator McCARTHY. Do you recall, Mr. Secretary, why I asked you to talk to this major?

Secretary STEVENS. Because you said that you thought that he had some information on matters that it would be a good thing for me to know about.

Senator McCARTHY. Did you think he had information for you?

Secretary STEVENS. I dislike to say this, but I was not particularly impressed with it.

Senator McCARTHY. Did he discuss current Communist infiltration in Army Intelligence?

Secretary STEVENS. Not in Intelligence exclusively; other things.

Senator McCARTHY. Not exclusively. Did he discuss that one thing?

Secretary STEVENS. He discussed that as well as other things, many other things.

Senator McCARTHY. And he gave you names and events, didn't he?

Secretary STEVENS. He mentioned various incidents. As I say, my evaluation of the information was not—maybe my evaluation was inaccurate, but I didn't evaluate it too highly.

Senator McCARTHY. Let's forget how you evaluated it. Did this major give you the names of individuals whom he considered Com-

munists who were at that particular day, September 28, 1953, in Army Intelligence having access to our Intelligence reports?

Secretary STEVENS. I don't recall that he did, no. I do not recall that he did.

Senator McCARTHY. Do you think it might be a good idea for you to call him back in and get that information?

Secretary STEVENS. As I said, I did not evaluate the information too highly, Senator McCarthy. I have other sources of information that I think are infinitely superior, and on which I would rather rely.

Senator McCARTHY. Did you make a memorandum on what the major had told you?

Secretary STEVENS. I think I may have scratched a note or two.

Senator McCARTHY. You make very lengthy memorandums about Dave Schine, the private. I was just wondering whether you made any memorandum about this major who gave you the names about Communists in Army Intelligence?

Secretary STEVENS. Just something on a scratch pad, something like that.

Senator MUNDT. The Senator's time has expired.

Mr. Jenkins?

Mr. JENKINS. I have no questions.

Senator MUNDT. The Chair passes. Any of the Senators to my left?

Senator SYMINGTON. I have some figures, Mr. Chairman. I have taken very little time at these hearings, I think less than 1 percent, but I am a little sensitive about the thought that the Senators are taking a great deal of time in making speeches about expediting the hearings. I have some figures here that I would like to read into the record at this time.

At the hearing Thursday morning, May 6, there were 18,800 plus words. Senator McCarthy and his counsel took 6,200, or 33 percent. All the others who talked, some 11 as an average, including the counsel, who is not limited, as you know, by time, who has all the time he wants to establish the facts, took 12,640, or 67 percent.

The hearing the afternoon of May 6, 35 percent of the words that were at that hearing were uttered by Senator McCarthy or his counsel.

On Friday, May 7, the last hearing before today, out of 15,377 words, 7,403, or 48 percent, were uttered by Senator McCarthy and his counsel. All the others, including counsel for the committee, some 11, uttered 30,796, and so forth, or 60 percent.

I do not raise these figures in a spirit of contention, Mr. Chairman, but I think it is fair to say that the Senators on this committee have had very little to do with the length of the testimony with respect to Secretary Stevens.

That is all I have to say, Mr. Chairman.

Senator MUNDT. Do any of the Senators to my right have any questions? Senator Jackson?

Mr. Welch?

Mr. WELCH. No questions.

Senator MUNDT. Senator McCarthy.

Senator McCARTHY. Mr. Secretary, Senator Symington has apparently been counting words. That is his privilege if he wants to. Let me ask you this: Regardless of the number of words that were uttered, I assume you will agree with me that we still have been unable

to get from you the names of those who gave special duty assignments, promotions, honorable discharges, to a Communist major?

Mr. WELCH. Objection.

Senator McCARTHY. We will strike the question.

Senator MUNDT. The objection is sustained.

Senator McCARTHY. If the objection is sustained, then I would like—I had withdrawn the question. If the Chair wants to sustain the objection after the question is withdrawn, I would like to ask you this—

Senator MUNDT. If you have withdrawn the question, the same result has been achieved.

Senator McCARTHY. Mr. Secretary, you understand, of course, that when Mr. Symington counts words, if this is important, apparently he is counting—let me ask you this, if I may, Mr. Symington. When you count words, not that this is important, you also counted the words of Mr. Stevens and ascribed those to me, did you?

Senator SYMINGTON. I am grateful, Senator McCarthy, that you bring that point up. Senator Jackson pointed it out. The facts are that all the words of the 52 percent as against the 48 percent for your side at the hearing Friday included the words of the Secretary of the Army and everybody else who had anything to say of any kind whatever.

Senator McCARTHY. I don't think you can blame me for the words of the Secretary. I certainly don't endorse them.

Senator MUNDT. May the Chair suggest that we get on with the questioning. I don't believe this colloquy among members around the table is conducive to expediting the hearing.

Senator SYMINGTON. A point of order, Mr. Chairman. So long as the Senator can understand.

Senator MUNDT. State your point of order.

Senator SYMINGTON. Just for clarification, the percentages I gave included everything that was said by Secretary Stevens and everybody else who testified at the hearing.

Senator McCARTHY. All right, all right.

Senator SYMINGTON. I only brought this up, Mr. Chairman, because I wanted the Senator to consider that I thought his charge that the Senators had delayed the hearings was a little unfair.

Senator McCARTHY. All right.

Mr. Secretary—

Senator MUNDT. The Chair will not rule on that point of order. It is a little obtuse and he will let it go.

Senator McCARTHY. Mr. Secretary, Earl Browder testified—this was long before you were Secretary of the Army so you obviously were not responsible for the condition that was existent at that time. Let's make that very clear. I am asking you these questions: Do you agree with me if members of the Communist conspiracy get into a key position in the military that would be one of their ideal berths as far as the Communist party is concerned?

Secretary STEVENS. I agree.

Senator McCARTHY. So when we find a certain number there in 1 year, unless there is proof that they have been removed we can assume

that they did not resign 2 or 3 or 4 years later, is that correct, except to get a more important position?

Secretary STEVENS. I am not clear about that question, Senator. I just don't believe there are any of those kinds of folks there.

Senator McCARTHY. Let me ask you this question: You are the Secretary of the Army. You have indicated a number of times that you are interested in removing Communists.

Secretary STEVENS. Correct.

Senator McCARTHY. You and I have had a sizable number of discussions about that, most of them in a completely pleasant vein, is that right?

Secretary STEVENS. I wouldn't say sizable number, no. Some.

Senator McCARTHY. We have had some anyway.

Secretary STEVENS. Yes.

Senator McCARTHY. Do you agree with me that if you find Communists in the military as of a certain date, that it is a fair assumption that they are still there unless it can be shown that they have been removed?

Is that a fair assumption, Mr. Secretary?

Secretary STEVENS. That they are still there? No, it is not a fair assumption, and I don't believe they are there.

Senator McCARTHY. In other words, you think it is a fair assumption to say they resigned or left even though there is no proof that they have been forcibly removed?

Secretary STEVENS. Any number of things could have happened, not the least of which is that they could have been transferred to some other—

Senator McCARTHY. Department.

Secretary STEVENS. Department or nonsensitive duty.

Senator McCARTHY. Well, we do have the committee statement that some of them were referred to CIA. You wouldn't consider that nonsensitive, would you?

Secretary STEVENS. No, sir. I would consider that very sensitive.

Senator McCARTHY. Now, Mr. Secretary, here is the testimony of Mr. Browder, and I take this from a report dated—let's see, just a minute—

Secretary STEVENS. Does this mean I am a Communist, Senator?

Senator McCARTHY. That is awfully funny, isn't it, Mr. Secretary. That is terribly funny.

Senator MUNDT. The Chair suggests that we proceed in order.

Senator McCARTHY. I am asking you, Mr. Secretary, not about any Communist activities on your part. I know of none. I doubt very much they would accept you as a member. I doubt that very much. But we are talking about your attempts to call off the hearing which was exposing Communists in your command, and you have been accused here of trying to protect and cover up those who are responsible for keeping the individual Communists in those jobs. There has been no claim by anyone, and you know it, that you were a Communist, that you were a Communist sympathizer. I have made that very clear to you at all times, that I felt you were anti-Communist. I have also made it very clear to you that I thought you were very naively and unintelligently anti-Communist and you know that, Mr. Secretary. Now, let's get back to the question. Mr. Browder testified—

Mr. JENKINS. Mr. Chairman?

Senator MUNDT. Mr. Jenkins.

Mr. JENKINS. If the Senator from Wisconsin is about to read the testimony of one Earl Browder, I must respectfully object. It is competent on no possible theory in the determination of these issues.

Senator JACKSON. Mr. Chairman, to supplement that—

Senator MUNDT. The Chairman believes that the testimony of Earl Browder is scarcely competent testimony before this committee.

Senator McCARTHY. Would the Chair like to hear from me on this, on the objection that Mr. Jenkins raised? I would think the Chair would want to. I have been engaged in this for a long time, Mr. Chairman, and I think I know what I am doing. I have been chairman of this committee while we dug out a sizable number of Communists. I have been a lawyer and I have been a judge, and I am not asking the questions idly. I would suggest that the Chair would just take the time, which he would do if he were in a court of law, to hear me before he rules. The reason I am reading some lines from Browder's testimony is so that I may ask the Secretary a question. Neither Mr. Jenkins nor the Chair knows whether that question is competent or not until I ask it.

Senator MUNDT. You may ask it. I simply want to point out that nobody around this table, including yourself, I am sure, gives any credence to the testimony of Earl Browder.

Mr. JENKINS. Mr. Chairman, I might add further that I do not think it proper to read any excerpt, any part of the testimony of one Earl Browder. As I understand it, that is about what the Senator is about to do. Now, if you can show us why you are doing it, Senator, what your theory is, and in what respect it is competent, I certainly reserve the right to reverse my advice to the chairman.

Senator McCARTHY. If the very able counsel—I don't say that facetiously. I think he is one of the most able people in his job. If he would listen to my question, and then if he thinks it is not competent, he can object and the Chair can rule on it. I hope that I may now get down to asking the question.

Senator MUNDT. Proceed.

Senator McCARTHY. Mr. Secretary, in 1945 there was a report by the Committee on Military Affairs, quoting the testimony of Mr. Browder on page 2, and I quote:

there actually are some 13,000 Communists in the Armed Forces.

Of course there are Communists holding commissions in the United States Army.

Now let me ask you this: If your reports from your intelligence agency do not show that the 13,000 were removed, can we safely assume that some of them are still there as of today?

Mr. JENKINS. Mr. Chairman.

Senator MUNDT. Counsel?

Mr. JENKINS. Senator McCarthy is making the point that because Earl Browder testified in 1944 or 1945 that there were 13,000 Communists in the Army, including some officers, that that is a true statement of fact. I say this committee cannot accept it as true. Neither does the Secretary of the Army have any right to assume that it is true. Neither is he bound by any conclusion that it is true because Earl Browder said it under oath or any other way. I do not think

it is a proper line of cross-examination of the Secretary and I renew my objections.

Senator MUNDT. The Chair will sustain the point of order on the ground that the testimony of Earl Browder is not considered to be factual by the members of this committee. I am sure that that goes also for the Senator from Wisconsin.

Senator McCARTHY. Mr. Secretary, are you aware of—Again, this was before you were in office, and I ask this as a prelude to another question—are you aware of the fact that on February 22, 1945, the War Department made public the information that it had inaugurated a new policy by removing the ban on Communists? Are you aware of that order?

Secretary STEVENS. I am not, no. I don't recall it. I don't recall it. But I may possibly have seen it, Senator.

I have seen an awful lot of papers over there That is in 1945, you say?

Senator McCARTHY. Yes. February 22, 1945.

Secretary STEVENS. And what is the subject?

Senator McCARTHY. The War Department made public the information that it had inaugurated a new policy by removing the ban on Communists.

Secretary STEVENS. Well, all I can do then is testify that Communists have no place in the Army now. I don't know what it was in 1945.

Senator McCARTHY. You are not aware of that order?

Secretary STEVENS. I don't recall specifically about the order. I think I may have heard some talk about it, Senator. But what I have been interested in, since I have been in office, was to get these people out, if there were any.

Senator McCARTHY. I wonder if your aides would produce the letter which you wrote me, when I wrote you in regard to this particular order. You wrote back and referred to it as an order banning people because of political beliefs. Could you have that letter produced now?

Mr. WELCH. Could we have the date, Senator?

Senator McCARTHY. I don't know the date.

Mr. WELCH. Then you don't give us much help.

Senator McCARTHY. Let me ask the Secretary.

Mr. WELCH. If the letter was written to the Senator, let's have it from your files.

Secretary STEVENS. You must have it there.

Senator McCARTHY. I don't have it here, but we will get it, I assure you. Let me ask you this: Do you recall having written me in regard to this specific order. Let's go back a minute. Mr. Secretary, did I discuss with you the number of times the fact that it appeared not to be your fault that there was so much infiltration when you took over office, and I pointed out this order of 1945, and we agreed that that was the time the door was opened up to Communists? They were allowed to get in to key positions, and we agreed it was an unwise order, and you agreed with me that that would present a problem for the next 10, 15 or 20 years, because no matter how diligent you were, you could not get to them. Don't you recall that conversation?

Secretary STEVENS. I certainly don't, Senator.

Senator McCARTHY. Do you recall the letter you wrote me, Mr. Secretary?

Secretary STEVENS. I recall having written you a letter, yes, in connection with the Peress case, I think it was.

Senator McCARTHY. In that you referred to this, and using language, and I stated publicly that I thought it was not yours. You referred to this as opening the doors of the Communists, you referred to it as a removal of a ban against people because of political beliefs. Do you recall that?

Secretary STEVENS. I have some vague recollection of it, Senator.

Senator McCARTHY. Mr. Secretary, let me ask you this question, and I think in fairness to yourself you should answer this very concisely. You don't think that the Communist conspiracy is nothing but a political belief, and that language in the letter was not yours, do you?

Secretary STEVENS. Well, most of the language in the letter was mine, I know that. I don't know whether the specific thing you are talking about was or was not.

Senator McCARTHY. May I say it did not sound like yours?

Secretary STEVENS. I worked with Mr. Adams on getting up the letter to you.

Senator McCARTHY. The date of the letter was February 16.

Could we get that out of our files?

Secretary STEVENS. I would also like to, if I may, Senator, while you are looking at that paper, say that a moment ago you said something about indicating an awful lot of infiltration into the Army at the time I came into office. I do not accept that, and I would like to say right here and now that this is a great Army and it is not full of Communists, and we don't coddle them. And I think a very unfair impression is being created, again, in the minds of the American people with respect to this matter of what you call Communist infiltration in the Army. I object to it.

Senator MUNDT. The Senator's time has again expired.

Mr. Jenkins, any questions?

Mr. JENKINS. I pass, Mr. Chairman.

Senator MUNDT. The Chair passes. Senator McClellan?

Senator McCLELLAN. Pass.

Senator MUNDT. Senators to my right? Senators to my left?

Senator SYMINGTON. Pass.

Senator MUNDT. Mr. Welch?

Mr. WELCH. Pass.

Senator MUNDT. Mr. Cohn or Senator McCarthy?

Senator McCARTHY. Mr. Stevens, you just made a statement in regard to the Army. I can agree with a great portion of what you said. I agree, and I have long stated that we do have a great Army. I think 99 percent, at least, if not more, are loyal Americans, willing to die for their country. May I say that gives us no excuse to keep a few Communist apples in the barrel of healthy apples. That is what we are after.

You understand that. You understand that we are not making any attack upon the Army. It is upon those who belong to the Communist conspiracy who have infiltrated into the Army. I am sure you will agree—

Secretary STEVENS. You speak as if you are the only one who is interested in getting these people out.

Senator McCARTHY. No.

Senator MUNDT. Order, please.

Senator McCARTHY. No. Let me ask you, Mr. Secretary, do you agree with me that it is a service to the Army, a service to the Nation, to expose and dig out of the military, Communists? Do you agree with me on that?

Secretary STEVENS. We want all the help we can get from any source to get rid of any Communists. There is no question about that.

Senator McCARTHY. You agree it is not an attack upon the Army to expose some "fifth-amendment majors"—

Secretary STEVENS. I say that the publicity that came out from your statements at the time of the Fort Monmouth hearings was utterly unfair to the Army, utterly unfair to the Army.

Senator McCARTHY. I might agree with you that some of the publicity from day to day may be unfair to various people, but as it so happens as of today I don't edit the New York Post, the Washington Post, Time Magazine, Life Magazine, any of those sheets. I have no control over what they say, no control over their headlines.

Getting back to your letter of February 1, 1954—I beg your pardon. My letter is February 1. You answered on February 16. We were talking about the previous order of the military which we had discussed before, to allow the commissioning of Communists. You say, and I quote from your letter:

In your telegram you spoke of a War Department order of December 30, 1944, prohibiting discrimination against military personnel because of political beliefs.

Do you consider communism, the Communist conspiracy, a political belief? I ask you this, Mr. Secretary, because I was disturbed by this, because this is the jargon we hear, not from good Americans like you, but from the Communists who appear before our committee. They all refer to communism as a "political belief." That is why I say this cannot be your language, and I would like to know whose it is.

Secretary STEVENS. I would like to read on. "I have investigated the files on that matter and have ascertained that the directive in question was rescinded on March 4, 1946, during the tenure of the late Robert P. Patterson as Secretary of War."

Senator McCARTHY. That is correct. We discussed that in detail, didn't we? We discussed that the door was open for a while, didn't we?

Mr. Secretary, just refresh your recollection. A final question on this: Didn't you and I discuss in detail the fact that your difficulty in 1953 was the result, to a great extent, of the softness toward communism and this order of 1944, plus another order, Mr. Secretary, the order providing for the destruction of the files on all those who were accused of Communist activities? We discussed that in detail, didn't we?

Secretary STEVENS. I don't recall that we discussed it in detail. I think there was some mention of it. I know you said after you got this letter of February 16 that you didn't think I had written the letter.

Senator McCARTHY. Did you ever check to determine whether or not the people who were responsible for the order to destroy the files on Communists—whether or not they are still in the Pentagon?

Secretary STEVENS. Senator, I say we have constant studies going on on this thing, and I just don't believe that there are any of those kind of people there. If they are, we are just as interested as you are in getting rid of them. When you go back 10 years, that is getting back quite a ways before this hearing for me to have to try to testify on what went on then.

Senator McCARTHY. Do you think the last Communist was Major Peress, and that when he left there were no more in the military?

Secretary STEVENS. I didn't say that, but I say there are doggone few.

Senator McCARTHY. Will you agree with me that one Communist in a key spot could result in the death of this Nation?

Secretary STEVENS. You mean a key spot like Major Peress?

Senator McCARTHY. No. If you want to be coy and clever, it is all right, but I asked you the simple question: Do you agree that one Communist in a key spot in a radar laboratory, in telecommunications, one Communist having access to the top secrets of this Nation, could result in the death of this Nation? Do we both agree on that?

Secretary STEVENS. There could be such a spot where it would be very serious. I certainly agree with that 100 percent.

Senator McCARTHY. You do not mean to tell us now that you honestly think that Peress was the last Communist in the military?

Secretary STEVENS. I didn't say that.

Senator McCARTHY. In other words, we can both assume there are still some in the military; can't we?

Secretary STEVENS. I think we have to assume it and keep relentlessly at it, which is exactly what we are doing.

Senator McCARTHY. And you revised your regulations during our investigation to try and weed out any other Communists in the military; didn't you?

Secretary STEVENS. We revised regulations several times since I have been in office. I started on that on my very first day in office, February 4, 1953.

Senator McCARTHY. Mr. Secretary, did you ever discuss with me the Personnel, Research and Procedure Division of the Army? Let's get the complete title. The Personnel, Research, and Procedures Division of the Army Plans, and just to refresh your recollection so you will know what I am talking about—I assume this is not security information—their tasks are research, Army mobilization. Let me just pass this to you. This might be claimed by some to be security information, describing the function of this Division. [Paper handed to Secretary Stevens.]

Mr. Chairman, while the Secretary is looking at that, I wonder if the Chair could ask for a copy of the statement made by Gen. Mark Clark a few days ago in regard to Communist infiltration. I am inclined to think that that should be available to the committee. I may say I have a tremendous respect for General Clark. I have heard so many rumors about his statement I would like to know what it was.

Senator MUNDT. Does that deal with the subject matter of the inquiry, may the Chair inquire? I am not familiar with the statement.

Senator McCARTHY. Yes; it deals with Communist infiltration, I understand. I haven't seen the statement. I have heard at least a dozen rumors. A dozen people have passed by and told me to get

Mark Clark's statement made a couple of days ago in regard to Communist infiltration.

Senator MUNDT. I think you would be entitled to ask the Secretary whether he has that statement on file and if so if he would produce it. I don't know whether he has it or not.

Secretary STEVENS. What was that, Mr. Chairman?

Senator MUNDT. The Senator was inquiring whether you had a statement made by Gen. Mark Clark on the subject of Communist infiltration into the Army.

Secretary STEVENS. When?

Senator MUNDT. A few days ago.

Secretary STEVENS. No; he is retired. I wouldn't have any of that information.

Senator MUNDT. You wouldn't have the statements?

Secretary STEVENS. I probably can get it for you, if you want it.

Senator MCCARTHY. I wonder if you would do that.

Secretary STEVENS. We will do that. I don't recognize, Senator, the title on this. I just don't recognize that title.

Senator MCCARTHY. Would you pass it back to me? Is there anything in there of a security nature? Is there anything on this slip of a security nature?

Secretary STEVENS. In that slip?

Senator MCCARTHY. Yes. It describes the work of the Personnel Research, and Procedures Division of the Army. Would that be security information, to read the function of that particular Division?

Secretary STEVENS. Well, I don't know, frankly, Senator, about that. I would like to, as far as we can, resolve all of these matters in favor of getting the facts out on the table, so why don't you go ahead and read it, if you would like to.

Senator MCCARTHY. On your suggestion, I will.

Mr. JENKINS. Senator, may I inquire of the date of that document from which you are now reading?

Senator MCCARTHY. This is merely my own description of a function of a certain division in the military.

Mr. JENKINS. May I inquire just what you expect to establish by that, Senator McCarthy?

Senator MCCARTHY. I expect to establish, Mr. Jenkins, that there are individuals in that all-important section as of this particular moment, as of 4 o'clock on this 10th day of May 1954, with such Communist connections and background that they are dangerous to the security of this Nation, extremely dangerous, and that Mr. Stevens' office has been negligent in examining these cases, and that the information has been brought to his attention, to the best of my knowledge, and I think this all goes to the motive in issuing the smear against Mr. Cohn, Mr. Carr, and myself, in order to call the hearings off, because this is something that would have been exposed sooner or later. I would like to ask the Secretary a few questions on this. I think the purpose will be very clear as we proceed.

Senator JACKSON. Mr. Chairman.

Mr. JENKINS. May I make an observation?

Senator JACKSON. May I make a point of inquiry at this point?

Senator MUNDT. All right.

Senator JACKSON. If I understand, and I have been listening patiently all afternoon on this to find out just what the theory was, I

would say that certainly Senator McCarthy has a right under his charges to attempt to prove that Secretary Stevens tried to stop investigation of Communists in the Army. If that is the purpose, it seems to me it is in order, but if it isn't, then, of course, we are going on and on. I suggested the other day, on Thursday, when we start in on one personnel case, that was to be the last one, and we have been on I don't know how many since, and that is all we have been on.

Mr. JENKINS. Mr. Chairman, may I follow up what Senator Jackson has said? As I get it, there is an effort now on the part of Senator McCarthy, to establish the fact that there are Communists in the Army; is that right, Senator?

Senator McCARTHY. No, not in this particular hearing, Mr. Jenkins. But I think it is important to show at this time the number of times we called attention, the attention of those in charge, to dangerous situations, the number of times they ignored us, and the fact that they knew that if we were not hamstrung in our investigation, if the investigations were not stopped, that dereliction of duty would be brought to the attention of the public, and that is the motive for issuing the smear which so effectively stopped our investigation. In other words, it goes to the question of motive behind the issuance of the smear on Cohn, Carr, and McCarthy.

Mr. JENKINS. Do you mean you are attempting to show that you have called the attention of this witness, Secretary Stevens, the fact that there are Communists in the Army, and that he has done nothing about it, or not doing it rapidly enough? Is that the idea, Senator?

Senator McCARTHY. You are almost correct in that, Mr. Jenkins, brought to the attention of this witness or his subordinates who normally should report to him, and that the information, even if not brought to his attention, should have been known by him and his subordinates. In other words, Mr. Chairman, the purpose is to show the dereliction, the fact that they knew this would be brought to the attention of the public if they were not successful in calling off the hearing. It is a question of motive. May I say I only have—if I can get answers—I only have about two or three questions on this and then I intend to turn the matter over to Mr. Cohn for some questions on another matter.

Mr. JENKINS. You don't claim, Senator, now that Secretary Stevens is responsible—and there was no objection made to your examination of it awhile ago, and perhaps it was dereliction of my duty—you do not claim that he was responsible for a war directive 8 or 10 years ago, putting a ban on people getting in the Army because of political affiliations, do you?

Senator McCARTHY. Political affiliations?

Mr. JENKINS. Yes.

Senator McCARTHY. Let's not use that term.

Mr. JENKINS. That was the term that was used, political beliefs.

Senator McCARTHY. No, not in the order. It is Communist connections.

Mr. Stevens in his letter refers to political beliefs. The order refers to Communists. Just to answer Mr. Jenkins' question, I have made it very clear to Mr. Stevens, not only here but in our conversations with him a number of times, that I could never obviously blame him for an order which opened the gates to Communists and invited them in 8 or 9 years ago. I have discussed that with him, however, be-

cause that is a key to his problem today, and this is one of the reasons why he must be extremely vigilant in getting them out.

But I am not referring now to a war directive, Mr. Chairman, I am referring to a matter of an entirely different nature.

Senator MUNDT. The Chair understands from your last question that was directed to the Secretary, that you desire to determine whether in his opinion it would be any violation of security for you to read the description of the responsibility in that paper that you are holding in your hand.

Senator McCARTHY. Yes, sir.

Senator MUNDT. Did you look at that, Mr. Stevens? Can you answer that question?

Secretary STEVENS. I said to go ahead and read it, if the Senator would like to.

Senator McCARTHY. Very well. Proceed.

This is not a document in any files, except it is my own description of the function of this particular department. The department of Personnel, Research, and Procedures Division of the Army. You have heard of that Division, I assume?

Secretary STEVENS. I do not recognize the title of that division.

Senator McCARTHY. Would you ask your aides if there is such a division?

Secretary STEVENS. I have already done so.

Senator McCARTHY. And they know of no such division?

Secretary STEVENS. That is correct.

Senator McCARTHY. What words have I got wrong in this?

Secretary STEVENS. I don't know, sir.

Senator McCARTHY. Let me ask you, then, would you give us the name of the department which conducts research, makes plans for Army mobilization, setting quotas for men available, plans which are used by the Chief of Staff in preparing total war plans? What is the name of that division, if that is not security information.

Mr. WELCH. Mr. Chairman, that sounds to me like security information. I would like to make that comment.

Senator McCARTHY. The Secretary told me to read it.

Senator MUNDT. If the Secretary says it is, we will accept it as being so. I thought he said it was not.

Secretary STEVENS. I said to go ahead and read the paper. But on the further information that Senator McCarthy wants, if he will give me that paper, I will take it over to the office and try to identify what it is he is talking about. I don't know.

Senator McCARTHY. Don't you know now?

Secretary STEVENS. No, sir.

Senator McCARTHY. So you could not answer the question as to what division does this work?

Secretary STEVENS. No, sir.

Senator MUNDT. The Senator's time has expired.

Mr. JENKINS. I pass, Mr. Chairman.

Senator MUNDT. Any Senators to my right?

Any Senators to my left?

Mr. Welch?

Senator McCarthy or Mr. Cohn.

Senator McCARTHY. Just one or two questions on this.

Mr. Secretary, if there is such a division and if there were Communists holding key positions in that division, that would constitute an extremely, an extremely dangerous situation; is that right?

Mr. WELCH. Objection. There is no evidence on which to base that question.

Senator MUNDT. Well, I think the question is clear. He said if there were such a division, and if Communists were there. Now, he can say there is no division, if he cares to, or he can answer hypothetically.

Mr. JENKINS. I think it ought to be confined to the time of the tenure of office of the Secretary.

Senator McCARTHY. This is confined to today.

Mr. Secretary, so you won't be answering in the dark, can I hand you the names of two individuals, and I wish you would put that in your pocket after you have glanced at them. Do you recognize those names?

Secretary STEVENS. No; I don't personally recognize them.

Senator McCARTHY. Is there any one of your aides who could tell you what jobs they hold?

Secretary STEVENS. I can look it up for you.

Senator McCARTHY. Well, would one of your aides—I assume they all have security clearance. Could you hand Mr. Adams or one of the generals those two names and ask them what jobs they hold?

Secretary STEVENS. We will have to do some more—we will have to get some more information together for you, Senator, because we don't recognize the names here at the moment.

Senator McCARTHY. Let me ask you to get this information for us, if you will, in regard to the second name on the list. The question of whether or not he has had reports made covering alleged Communist connections in his past, and his secret and top-secret clearance was removed, but he is still allowed to direct programs that are secret. If this is correct, I would like to know it. It seems like a very unusual setup, if true.

Secretary STEVENS. Well, I don't know anything about it, Senator, but we will check it up and get the information.

Senator McCARTHY. Mr. Cohn?

Mr. COHN. Mr. Secretary, on the issue of whether or not you were trying to get this committee to stop its investigation at Fort Monmouth, I direct your attention, if I may, sir, to specification or allegation No. 11 in the charges which you and Mr. Adams made, and to the following language: You charge that:

On or about November 14, 1953, Mr. Cohn threatened to continue the subcommittee's investigation at Fort Monmouth.

In the next charge you say that:

On or about November 16, Mr. Cohn and Mr. Carr renewed the threat—namely, the threat to continue the investigation of Fort Monmouth, personally to you.

I will ask you, sir, if you state that the statement on the part of Mr. Carr and myself that the investigation will be continued is a threat, does it not follow, sir, that you did in fact want that investigation stopped and regarded its continuation as a threat to you? Isn't that what that says?

Secretary STEVENS. I have testified on this repeatedly, Mr. Cohn, probably a dozen times, and you know the answer just as well as I do, and that is—I am going to state the answer again—that I wanted the type of hearings stopped that was giving the American people and the Army such an unfair picture of what the facts were at Fort Monmouth. I wanted the type of hearings stopped.

Mr. COHN. Mr. Secretary, there is not one word in this charge which you made about changing the type of hearing. It says—

threatened to continue the subcommittee investigation on the Army installation at Fort Monmouth, which had theretofore resulted in exaggerated headlines damaging to the morale of personnel at Monmouth.

That is the first one. The second one states that threats—

Senator MUNDT. Do you have an answer to make, Mr. Secretary?

Secretary STEVENS. It seems hopeless to try.

Mr. COHN. That threats were made personally to you, namely, to continue these investigations at Fort Monmouth.

Secretary STEVENS. Mr. Cohn, I have explained repeatedly, and I will do it again, if you want, that I wanted that type of hearing changed.

Mr. COHN. What type of hearing did you want, sir?

Mr. JENKINS. Mr. Chairman.

Senator MUNDT. Mr. Jenkins?

Mr. JENKINS. Every member on this committee, I am sure, is dead certain that the Secretary has repeatedly answered that question and explained fully his position, and I do respectfully insist that Mr. Cohn pass to a new subject, if there is anything new.

Mr. COHN. Mr. Jenkins, if I may respectfully say so, I think there is a lot unanswered. This charge is made against Mr. Carr and me, a charge that we threatened to continue the investigation. I think I can point, if I may, sir, to a plain inconsistency between the Secretary's testimony and a charge which he himself has made. That is what I am trying to do now, sir. I don't believe I have ever done it before.

Senator MCCARTHY. Could I add to that, Mr. Chairman, that the testimony on the first day, I believe it was the first day, page 442, the testimony of Mr. Stevens is directly contradictory to what he says today. He then said he wanted the hearings suspended. Then after thinking it over and talking it over, that story is changed so that now he says he wanted a different kind of hearing.

Mr. Chairman, in view of the inconsistency in the Secretary's sworn testimony, I may say the only way that we can get at the truth, if we ever can with the selective memory, is to cross-examine in detail, and I personally hope that counsel is allowed to do that.

Mr. JENKINS. Mr. Chairman.

Senator MUNDT. Mr. Jenkins?

Mr. JENKINS. If Mr. Cohn will ask a new question and point out specifically any alleged discrepancies in the testimony heretofore given by the Secretary and testimony given thereafter, including today, I would say that it is a proper question.

Mr. COHN. Very well, sir. I will do that right now.

Senator MUNDT. Reframe your question, then, so it avoids the objection made by counsel.

Mr. COHN. No. 1, Mr. Secretary, you have today testified that all you wanted was a change in the type of hearing. I now direct your

attention, if I may, sir, to your testimony at page 442 of the record, and ask you whether or not you did not categorically admit then that you wanted the hearings suspended?

Secretary STEVENS. I wanted the type of hearings changed.

Mr. COHN. Sir——

Senator MUNDT. You could quote his testimony direct and ask him whether or not he said that.

Mr. COHN (reading) :

Mr. JENKINS. That is correct. Insofar as his charge against you that you tried to stop the investigation of Fort Monmouth is concerned, that is not correct. You merely tried to get it suspended.

Secretary STEVENS. That is right.

Secretary STEVENS. I wanted to suspend the type of hearings that were being held, and I have testified on that at least a dozen times since.

Mr. COHN. Yes, sir.

Secretary STEVENS. I will leave with this committee to judge whether my testimony is consistent or accurate or not.

Mr. COHN. Yes, sir; and I believe that under the rules of cross-examination I have the right to call to the committee's attention the cases where there is a plain inconsistency in testimony on this key issue. That was the purpose of my question.

My next question is whether or not allegation No. 11 stating that "Mr. Cohn threatened to continue the subcommittee investigation at Monmouth" is not further inconsistent with testimony you have given here.

Secretary STEVENS. I have said repeatedly that I wanted the type of hearing changed. I now repeat that that is what I wanted.

Mr. COHN. Did you want the hearings suspended?

Secretary STEVENS. I wanted the type of hearing that was being held suspended; yes.

Mr. COHN. You wanted the type of hearing——

Secretary STEVENS. The type of hearing; yes, sir.

Mr. COHN. What type of hearing did you want us to conduct and when?

Secretary STEVENS. I wanted one conducted where the American people would get a fair and accurate idea of what was being produced instead of having practically no relation or very little relation to the facts.

You were making people think that Fort Monmouth was a bed of espionage, and that was not in accordance with the facts.

Mr. COHN. Mr. Secretary, let's see now. First of all, is it a fact that either you or Mr. Adams was present or invited to be present at every single executive session or public session of our subcommittee on Fort Monmouth?

Mr. WELCH. Objection. That has been covered.

Senator MUNDT. The Chair's attention was diverted talking to the Senator from Missouri. You will have to restate the question.

Mr. COHN. May we have that read, please?

(The reporter read from his notes as requested.)

Secretary STEVENS. That has all been covered thoroughly.

Senator MUNDT. Is it the contention of Mr. Cohn that that question has not been answered in earlier testimony?

Mr. COHN. I think it can be settled in one second by a "Yes" or "No" answer.

Mr. JENKINS. Mr. Chairman, the obvious purpose of the question is this: The Secretary says that he objected to the type of hearings being conducted by the McCarthy investigating committee. Mr. Cohn is now asking him whether or not he and Mr. Adams attended every executive session, the obvious purpose being to show that the Secretary did not know all the time of the exact type of hearing that was being conducted. Is that correct?

Mr. COHN. With one further statement, Mr. Jenkins: I would like to show that following some of these very executive sessions which we were discussing Mr. Stevens met the press along with Senator McCarthy and heard what Senator McCarthy said and never once objected to a single statement which Senator McCarthy made.

Mr. JENKINS. May I ask the Secretary a question to clear it up?

Senator MUNDT. I believe if no objection is raised, Mr. Cohn is entitled to have an answer to his question before I recognize you.

Mr. COHN. I defer to Mr. Jenkins.

Mr. JENKINS. Mr. Stevens, did you and Mr. Adams attend every executive session of the McCarthy committee?

Secretary STEVENS. I certainly did not. There were very, very few that I attended. I don't know about Mr. Adams. He attended many more.

Mr. JENKINS. He attended many more than you did?

Secretary STEVENS. That is right.

Mr. JENKINS. But are you certain whether or not he attended all of the hearings?

Secretary STEVENS. I would say about half of them.

Mr. JENKINS. Then all of the hearings were not attended by you and/or Mr. Adams?

Secretary STEVENS. That is correct.

Mr. JENKINS. That is all.

Senator MUNDT. Proceed, Mr. Cohn.

Mr. COHN. Mr. Secretary, may I ask whether after any of those hearings which you attended when you met the press along with Senator McCarthy you ever made any objection to anything which he had said?

Secretary STEVENS. I don't ever recall having met the press with Senator McCarthy except on the one instance at Fort Monmouth, when we went down there for the inspection and after that meeting was over—it wasn't a hearing in the usual sense, I would say, in that witnesses were not called, as I recall it—and there I joined with Senator McCarthy. I don't recall any other instances.

Mr. COHN. I am going to try to produce some newspapers to see if we can refresh your recollection on that.

Secretary STEVENS. Very good.

Senator MUNDT. Proceed, Mr. Cohn, or Senator McCarthy.

Mr. COHN. Is your objection to the type of hearing addressed to those sessions which you attended or those which you did not attend?

Secretary STEVENS. Both.

Mr. COHN. Did you make the objection at the time——

Secretary STEVENS. Primarily, however, to the ones that I did not attend, because I only went to a very few, and the reports on those—I got the same reports that the people did, namely, in the newspapers.

Mr. COHN. From those that you attended?

Secretary STEVENS. On those that I did not attend.

Mr. COHN. How about those that you attended? Did you ever suggest to Senator McCarthy that there was anything wrong with the type of hearing when you were there?

Secretary STEVENS. I think I went to possibly two. I think I went to two.

Mr. COHN. Two rather important ones; is that right?

Secretary STEVENS. I don't know if they were any more important than your others.

Mr. COHN. You heard Aaron Coleman testify, did you not?

Secretary STEVENS. That is right.

Mr. COHN. That was important, was it not?

Secretary STEVENS. That is right.

Mr. COHN. Did you find anything objectionable in the manner that that was conducted?

Secretary STEVENS. As I understood your question it was, did I take part in press conferences with Senator McCarthy after the hearings were over, and my answer to that was I did not.

Mr. COHN. That was a question about three questions ago. You said you didn't recall and I am going to try to get some newspapers together and see if I can't refresh your recollection. My last question was whether or not the executive sessions which you did attend that you ever made any characterization at all to Senator McCarthy about the manner or conduct of the hearing or to anything at all which you saw at the hearing.

Secretary STEVENS. I testified over and over again that I wanted this type of hearing stopped, the hammering over the head, and I said it repeatedly in the hearing and I now said it again.

Mr. COHN. I can't get an answer to the question, Mr. Chairman.

Mr. JENKINS. That, Mr. Chairman, is not wholly responsive. Mr. Secretary, you could tell him whether or not at the time of the hearing or immediately thereafter you made any objection to the manner in which Senator McCarthy conducted the hearing, anything that was said or done. Now, that is a simple question.

Secretary STEVENS. As I recall it, I went to hearings on the 13th and 14th of October, which was very early in the Fort Monmouth investigation, and I made no comment to the press or to Senator McCarthy as far as I can now recall.

Mr. JENKINS. And made no objections at the time?

Secretary STEVENS. Not at that time.

Mr. JENKINS. Or immediately thereafter with respect to the type of hearing? He has answered the question.

Senator MUNDT. He answered the question.

Mr. COHN. Isn't it a fact, Mr. Secretary, that the first time the objection to the type hearing has been raised has been right here in this room?

Secretary STEVENS. No, sir.

Mr. COHN. When do you say the first time you raised an objection was?

Secretary STEVENS. Well, at our meeting, for example, on the 6th of November, I said that I wanted this hammering of the Army over the head stopped. That was one very clear time.

Mr. COHN. Well, I was asking you about an objection to a type of hearing—you see, our charge, Mr. Secretary, if I make this clear, is that you have tried to get us to stop the investigation, to stop holding hearings. You first stated on page 442 of the record, no, you didn't want to stop it, you merely wanted to suspend it. Later on your testimony became no, you didn't want it suspended but you wanted to change the type of hearing. I would now like to know the first occasion which you made any complaint about the type of hearing and I would like you to tell us what specifically the complaint was and what suggestion you made as to the type of hearing which would be satisfactory to you.

Secretary STEVENS. I say I covered it at length on November 6, at the luncheon.

Mr. COHN. Was that the first time, sir?

Secretary STEVENS. I will have to refresh my memory to see whether it was or not. But I know about that one.

Senator MUNDT. Your time has expired.

Mr. Jenkins?

Mr. JENKINS. Pass.

Senator MUNDT. The Chair will pass. Senators to my left? Senators to my right? Mr. Welch?

Mr. WELCH. Pass.

Senator MUNDT. Mr. Cohn, you may continue.

Mr. COHN. By the way, Mr. Stevens—

Senator MUNDT. The Chair suggests that now it is 4:20, so we will probably have to conclude after this 10-minute session.

Mr. COHN. Isn't it a fact that the principal reason you named Mr. Adams as liaison to the committee was to have him try to get the hearings stopped?

Secretary STEVENS. Positively not.

Mr. COHN. Will you explain to us why you did name Mr. Adams liaison in view of the fact that the committee already has and has had General Fenn, a perfectly competent liaison?

Mr. JENKINS. I remember specifically asking the Secretary that question myself. It has been asked and answered.

Senator MUNDT. It would be impossible for the Chair to recall all the questions asked. He does recall that one, and it is repetitious.

Mr. COHN. I don't like to go on the limb, but I would suggest that General Fenn's name has not been mentioned and this question has not been asked.

Senator MUNDT. The question is on the point of order.

Mr. COHN. The Secretary denied it was for this purpose. I am now trying to cast doubt on that denial by showing there was already a liaison to the committee and there was no need for any additional liaison. I am asking the Secretary whether it is not a fact that General Fenn was the regular liaison to our committee and still is.

Secretary STEVENS. He works for our office of legislative liaison and has had contact with the committee, that is true. But I wanted a member on my own personal staff to handle the relationship with this committee which I had started to handle myself personally on the 8th day of September, and so when Mr. Adams came into the picture on the 1st of October, I gave him that as one of many other assignments.

Senator MUNDT. Proceed, Mr. Cohn.

Mr. COHN. Mr. Secretary, you testified here at some length about the meeting of November 6, and that is one of the allegations in your bill of specifications. You agree, do you not, that you were the one who invited us to your office on November 6?

Mr. JENKINS. That question has been asked and answered, Mr. Chairman. I believe we ought to explore a new subject.

Senator MUNDT. That point of order will be sustained.

Mr. COHN. I am trying here, if I might, and I am sure I can't do it as well, to match the chain of questions that Mr. Jenkins put to the Secretary in repetitious form on Friday morning concerning a pattern, and I would like to show that various of these charges here which the Secretary says involve threats to him, were actually meetings in one way or another called by Mr. Stevens and not by us.

Senator MUNDT. You are trying to establish the fact that he called the meetings? If that is a new element, you are entitled to ask the question. The Chair is not able, I am sure, is not able to recall everything that is said in the hundreds of thousands of words of testimony. But where he is sure, he will have to rule that repetitious questions will be ruled out. You may proceed.

Mr. COHN. I cannot pursue this line of interrogation?

Senator MUNDT. I am not sure as to the exact question that was asked. Counsel thought he heard it asked before. If he is positive he has, the Chair will rule it out.

Mr. COHN. Very well.

Mr. Stevens, allegation No. 13 by you against us is a meeting of November 17. Is it not a fact that that meeting was at your request and at your suggestion and not at ours?

Secretary STEVENS. I have testified at great length on that, and the reason for that meeting was because of Senator McCarthy's displeasure on my press statement of November 13.

Mr. COHN. Who asked for the meeting, sir, you or Senator McCarthy?

Secretary STEVENS. You asked for the first meeting, which was on the—which was on, as I recall it, on the 16th. You asked for it and out of that grew the meeting with Senator McCarthy.

Mr. COHN. Mr. Stevens, my question to you, sir, if I may, is who asked for the meeting of November 17, which is allegation No. 13 in your complaint? Did you recast—

Secretary STEVENS. I said I would go to New York and see Senator McCarthy because you indicated that he thought I had pulled the rug out from under him on my statement of November 13. I have testified on this repeatedly.

Mr. COHN. Did you ask for that meeting, sir?

Secretary STEVENS. I said that I suggested that I go to New York, and I did.

Mr. COHN. Did I ask you to come to New York to see Senator McCarthy or did you ask me to go to Senator McCarthy and see if he would not see you?

Secretary STEVENS. I don't recall anything like that.

Mr. COHN. Well, Mr. Stevens, could you not try to recall that? That is awfully important. You recall other things.

Secretary STEVENS. I have already testified that when you—you sought me out, after my press conference of November 13, and you

came to my office, and you said that Senator McCarthy felt that I had pulled the rug out from under him. I said that was not my intention and that if Senator McCarthy was disturbed about it, I would go and see him and talk to him about it.

Mr. COHN. When did I seek you out, sir?

Secretary STEVENS. And I have testified on this at great length heretofore.

Mr. COHN. Yes, sir; and I might say not to our satisfaction because we don't believe the facts have been shown yet. Would you now tell me, sir, when I sought you out following your press conference of November 13? I would like to know. Was it by telephone? Was it in person?

Secretary STEVENS. You came to my office on the 16th.

Mr. COHN. Now, my question: You held a press conference on the 13th, is that right?

Secretary STEVENS. That is right.

Mr. COHN. And between the 13th and 16th did I seek you out?

Secretary STEVENS. On the telephone, one of the days in between there.

Mr. COHN. When was——

Secretary STEVENS. Either directly through me or through John Adams, I don't recall which at the moment.

Mr. COHN. Can you recall whether or not I communicated with you in any way?

Secretary STEVENS. I can check that up and find out.

Mr. COHN. Could you not check up, Mr. Secretary, and then come back and see whether the fact is not that Mr. Adams called me at your request on Sunday, November 15, and asked me to be in your office the next morning at 10:30 a. m.?

Secretary STEVENS. Why don't you ask that of Mr. Adams? He can testify on it.

Mr. COHN. Because you said I sought you out and I suggest the contrary is true, and I think I am entitled to have that clarified.

Secretary STEVENS. I disagree with that.

Mr. COHN. Then could you answer my question, sir? Is it not a fact that at your request—I believe Mr. Adams said you had returned from the country, returned from out of town—he called me on Sunday, November 15, and asked me as a personal favor to you to be in your office at 10:30 the next morning? I have the telephone slip of that call, too, I might say.

Secretary STEVENS. Yes, I think Mr. Adams called you following a call of yours, if I remember correctly, the day before.

Mr. COHN. Did Mr. Adams call me and say he was doing so at your request and that you desired me to be in your office?

Secretary STEVENS. You ask that of Mr. Adams. I don't know.

Mr. COHN. All right, sir. Thank you, if that is the best you can do on that.

Secretary STEVENS. It is.

Mr. COHN. In any event, we are clearly in agreement that on November 16 it was you who asked for the meeting with Senator McCarthy the next day.

Secretary STEVENS. I said that I wanted to see Senator McCarthy if he thought that I had pulled the rug out from under him.

Mr. COHN. You said you wanted to see him.

Secretary STEVENS. That is right.

Mr. COHN. Fine. Allegation No. 27, Mr. Secretary—I am sorry. It is not allegation No. 27. It is allegation No. 25, concerning a request made by Senator McCarthy for an assignment to Private Schine, recounting a meeting between you and Senator McCarthy on January 14, 1954. This is your charge. I will ask you who asked for that meeting on January 14.

Secretary STEVENS. I did.

Mr. COHN. You asked for that, did you not, sir?

Secretary STEVENS. I did, the reason being that I was going to the Far East, and I wanted to see the Senator before I left in regard to all these different matters.

Mr. COHN. Senator McCarthy wants to follow up on that.

Senator McCARTHY. I would like to ask you a few questions on that meeting, Mr. Secretary. We met over at the Carroll Arms.

Secretary STEVENS. That is right.

Senator McCARTHY. And spent an hour, more or less, there.

Secretary STEVENS. That is right.

Senator McCARTHY. The purpose, you said, was to tell me what?

Secretary STEVENS. What is that?

Senator McCARTHY. The purpose of the meeting was to tell me what?

Secretary STEVENS. My main purpose in going over there was to tell you that I was leaving shortly for the Far East and would be gone for 3 or 4 weeks. I thought you might call up the next Tuesday morning and would want to speak to me and I wouldn't be there.

Senator McCARTHY. To refresh your recollection, didn't you ask me not to call any members of the loyalty panel until you came back?

Secretary STEVENS. I did not.

Senator McCARTHY. Did you discuss that?

Secretary STEVENS. We did not.

Senator McCARTHY. O. K. So you came over, busy as you are, to see me and tell me you were going to the Far East. You could have done that by telephone or by message. Was there any other purpose for asking for that meeting?

Secretary STEVENS. The principal purpose was to tell you that I was going away and would be gone 3 or 4 weeks and to talk over matters of mutual interest between the Department of the Army and this committee.

Senator McCARTHY. What were those matters of mutual interest, Mr. Secretary?

Secretary STEVENS. I would have to check up and see just what was current at that particular time.

Senator McCARTHY. The average person would assume that it was rather important when the Secretary of the Army, busy as you were, took time out to come all the way over from the Pentagon and arrange a meeting with me. Was it important enough so you would remember why you asked for that meeting?

Secretary STEVENS. Yes; I have stated the principal reason.

Senator McCARTHY. I know, besides telling me you were leaving, which you could have done by a wire or phone call.

Secretary STEVENS. I also told you during the course of that meeting approximately—I think I told you at that meeting that Private Schine

was going to go from Dix to Camp Gordon and complete his basic training, and that if he completed it successfully and qualified, he might be sent to the Provost Marshal General's School there.

Senator McCARTHY. Did I tell you at that time, Mr. Secretary, that I felt that you were wasting far too much time on one private in the Army?

Secretary STEVENS. You did not.

Senator McCARTHY. I didn't?

Secretary STEVENS. No, sir.

Senator McCARTHY. Didn't I indicate to you, Mr. Secretary, that we had much more important business to discuss than a private in the Army?

Secretary STEVENS. You brought up a New York assignment for Private Schine 4 or 5 times during the course of that meeting.

Senator McCARTHY. Who brought up Schine's name to begin with?

Secretary STEVENS. Who brought up Schine's name? I told you what the rest of his training program would be.

Senator McCARTHY. Then you came over to talk about Schine, is that right?

Secretary STEVENS. I came over primarily to talk to you about my trip to the Far East. I also told you what the program was for Schine's completing his basic training.

Senator McCARTHY. Let's narrow it down.

Secretary STEVENS. You brought up 4 or 5 times, couldn't he be sent to New York for an assignment.

Senator McCARTHY. Let's narrow it down. As far as your going to the Far East, if that were the only thing you were going to talk about you would not have arranged a meeting to come over and tell me, "McCarthy, I am leaving for the Far East."

Secretary STEVENS. I very likely might have done that, sure.

Senator McCARTHY. You and I haven't been great social friends, have we? In other words, we have been dealing almost exclusively with the business of the committee and the military?

Secretary STEVENS. That is right, and I didn't think that I ought to be gone for 3 or 4 weeks with important matters pending between your committee and the Department of the Army without at least letting you know I was going.

Senator McCARTHY. Aside from the important matter of Private Schine and this other important matter that you were leaving the next day, were there any other matters that we discussed?

Secretary STEVENS. Those are the ones I recall principally.

Senator McCARTHY. In other words, you came over and discussed those two matters?

Secretary STEVENS. I came over primarily to discuss the trip to the Far East. That was my principal reason for coming.

Senator McCARTHY. You didn't discuss it except to tell me you were going, did you?

Secretary STEVENS. Oh, yes, I did. I discussed it at considerable length and told you where I was going. There was considerable discussion about my trip to the Far East.

Senator McCARTHY. You did not come over so that I could try to threaten you or pressure you on Private Schine? That was not the purpose?

Secretary STEVENS. All I can say is, Senator, that you brought up 4 or 5 times the question of a New York assignment for Private Schine.

Senator McCARTHY. Who brought up Schine's name?

Secretary STEVENS. I finally reminded you of your letter of December 22 in which you said that there wasn't to be any pressure or special favor for Schine.

Senator McCARTHY. Who brought up Schine in the case?

Secretary STEVENS. I told you what the completion of his training program would be.

Senator McCARTHY. But you brought that matter up?

Secretary STEVENS. I told you what his training program would be, and then you started talking about this New York assignment.

Senator MUNDT. The Senator's time has expired. The hour of 4:30 having arrived, we will adjourn until 10:30 tomorrow morning.

(Whereupon, at 4:37 p. m., the hearing was adjourned until 10:30 a. m., Tuesday, May 11, 1954.)

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